

SECOND AMENDMENT TO AGREEMENT FOR DELIVERY AND USE OF RECLAIMED WATER

This is the Second Amendment ("Second Amendment") to the Agreement For The Delivery and Use of Reclaimed Water (the "Agreement") made and entered into on September 27, 2002, between Traditions Club by Melrose, LLC, a Texas limited liability company ("User") and the City of Bryan, a Texas home rule City ("City"). The Agreement was first amended on January 17, 2003 ("First Amendment").

WHEREAS, Traditions Acquisition Partnership, L.P., a Texas limited partnership ("TAP") acquired the interest of User in the Agreement and City and TAP desire to amend the Agreement as set forth herein;

NOW, THEREFORE, in consideration of the foregoing and mutual covenants contained herein and in the Agreement and in the First Amendment, City and TAP hereby agree as follows:

1. Beginning on the 1st day of May, 2028, the term of the Agreement will be extended for a period of five (5) additional years and will terminate, if already terminated by other provisions of the Agreement, on the 30th day of April, 2033. The period between the 1st day of May, 2028, and the 30th day of April, 2033, shall be referred to as the "Extension Term".
2. The following terms and conditions shall apply during the Extension Term:
 - a. During each calendar month of the Extension Term City shall, at its sole expense, make available to TAP at least 500,000 gallons of water (effluent only) per day or provide a suitable alternative source of water of comparable quality. The City shall, in its sole and absolute discretion, determine the source of the water to be delivered.
 - b. If TAP uses more than 500,000 per day, the City will charge and TAP will pay for such consumption at the City's water rate on that day. The calculation to determine excess consumption shall be based upon daily consumption rather than annual consumption so that each day TAP uses more than 500,000 gallons it will pay for the excess. Billing for and payment of charges for the excess shall be in accordance with the then current policies of City consistently applied to water users.
3. The City shall, at its expense, install and maintain a meter at the point of production to measure the water volume delivered.
4. City acknowledges that TAP has concerns that the salt content of the irrigation water being provided pursuant to the Agreement exceeds optimum levels for the long term health of the golf course vegetation. The parties agree to work together, in good faith, to develop a reasonable plan to address the sodium issue.
5. Except as set forth in this Second Amendment, the terms and provisions of the Agreement and the First Amendment shall remain in full force and effect. City

and TAP acknowledge, ratify and reaffirm the Agreement, as amended by this Amendment and the First Amendment.

IN WITNESS WHEREOF, the parties have executed this Amendment to be effective for all purposes as of the 14 day of October, 2009.

TAP:

TRADITIONS ACQUISITION PARTNERSHIP, L.P.,
A Texas limited partnership

By: TRADITIONS ACQUISITION
PARTNERSHIP GP, LLC, a Texas
limited liability company,
its General Partner

By:


PETER H. CURRIE,
President

CITY:

City of Bryan,
A Texas home rule City

By:


MARK D. CONLEE, Mayor

ATTEST:


MARY LYNN STRATTA,
City Secretary

APPROVED AS TO FORM:


JANIS HAMPTON, City Attorney

APPROVED AS TO SUBSTANCE:


DAVID WATKINS, City Manager

FIRST AMENDMENT TO AN AGREEMENT FOR THE DELIVERY AND USE OF RECLAIMED WATER

This is the First Amendment to the Agreement For The Delivery And Use Of Reclaimed Water made and entered into on September 27, 2002 between TRADITIONS CLUB BY MELROSE, LLC, a Texas liability company (USER) and the CITY OF BRYAN, a Texas home rule city (CITY).

WHEREAS, CITY submitted the Agreement For The Delivery And Use Of Reclaimed Water for technical review by the Texas Commission on Environmental Quality (TCEQ) [formerly known as the Texas Natural Resources Conservation Commission or TNRCC] in order to secure a City of Bryan Reclaimed Water Authorization for the reuse of Type II wastewater from the City of Bryan's Wastewater Treatment Plant (TNRCC Permit No. 10426-003); and

WHEREAS, the TCEQ staff has prepared a draft Authorization No. R 10426-003 For Reclaimed Water but has conditioned the issuance of the Authorization on an amendment to the Agreement For The Delivery And Use Of Reclaimed Water as set forth below in this First Amendment; and

WHEREAS, the CITY and USER agree that it is in their mutual interest and benefit to procure the issuance of the Reclaimed Water Authorization from the TCEQ and to clearly delineate the responsibilities of CITY and USER under the Reclaimed Water Authorization;

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants contained herein, the CITY and USER do hereby agree as follows:

1. CITY and USER hereby agree that the Agreement For The Delivery and Use of Reclaimed Water is hereby amended by adding the following language to Subsection 16(b), Operations and Maintenance Practices, as a new subpart 4:

‘The User shall comply with the regulations specified by 30 Texas Administrative Code, §210.25, Special Design Criteria For Reclaimed Water Systems, when performing any modifications to the existing reclaimed water system, including modifications to the irrigation system, or when constructing any new infrastructure to the existing reclaimed water system, including any additions to the irrigation system.’

2. CITY and USER hereby agree that, except as set forth in this First Amendment, there are no other changes to the Agreement For The Delivery and Use of Reclaimed Water and that said agreement, as amended, remains in full force and effect.

IN WITNESS WHEREOF, the parties hereto have set their hands this 17 day of January
2002: 3 (mes)

USER:

Traditions Club by Melrose, LLC,
a Texas limited liability company

By: University Clubs by Melrose, LLC,
a South Carolina limited liability company
Its: Managing Member

By: Melrose Management Company, Inc.,
a South Carolina corporation
Its: Managing Member

By: 

Name: JAMES H. NICKSA

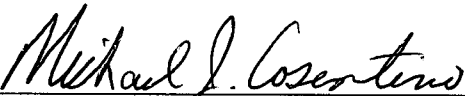
Title: VICE PRESIDENT

CITY OF BRYAN, TEXAS:

By: 

Jay Don Watson, Mayor

APPROVED AS TO FORM



Michael J. Cosentino, City Attorney

ATTEST:


Mary Lynne Stratta, City Secretary

APPROVED AS TO SUBSTANCE


Mary Kaye Moore, City Manager

**AGREEMENT FOR THE DELIVERY
AND USE OF RECLAIMED WATER**

THIS AGREEMENT is made and entered into this 21 day of September, 2002, between **TRADITIONS CLUB BY MELROSE, LLC**, a Texas limited liability company (hereinafter referred to as the "USER") and the **CITY OF BRYAN**, a Texas home rule city (hereinafter referred to as the "CITY").

WITNESSETH:

WHEREAS, the CITY owns, maintains and operates wastewater treatment facilities (WWTF) serving the CITY of Bryan and intends to increase the capability of these facilities to produce treated effluent of a quality adequate for nonpotable uses; and

WHEREAS, such treated effluent, hereafter referred to as "reclaimed water", is a valuable water resource which can be safely used for irrigation and other nonpotable purposes; and

WHEREAS, the CITY desires to reuse this reclaimed water for irrigation and other nonpotable purposes as a means of recycling water resources and decreasing surface water discharges; and

WHEREAS, USER is negotiating to acquire certain land within areas where reclaimed water is available and which is more fully described in that certain Development and Purchase and Sale Agreement dated November 2, 1999, as amended (the "Development Agreement"); and

WHEREAS, if USER does acquire the land, USER can benefit from the use of reclaimed water as a source of nonpotable water for nonpotable uses and will be the party responsible to perform the covenants of this Agreement; and

WHEREAS, USER desires to use reclaimed water from the CITY pursuant to the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants contained herein, the CITY and USER do hereby agree as follows:

1. EASEMENTS.

If reclaimed water transmission piping is to be installed on the USER's property, the following conditions shall apply:

- (a) In areas designated by USER, in its discretion, USER will consent to the reservation of an easement for the delivery and use of the reclaimed water on the USER's property. Easements shall be in areas to the point of delivery in the

vicinity of an existing irrigation pond contained within property known as Tract Six, which is a portion of the Property defined below (the "Point of Delivery").

- (b) The USER shall provide the CITY with a copy of the deed that transferred the subject property to the USER. The subject property is described as the property set forth on Exhibit "A" (the "Property"). The consent of all of USER's mortgagees, if any, shall be required prior to the effectiveness of this Agreement and the easement.

2. TERM OF THE AGREEMENT.

- (a) The CITY shall deliver and the USER shall accept and use reclaimed water produced by the CITY from its wastewater treatment facilities in accordance with the terms of this Agreement, and this Agreement shall be effective for a term of twenty-five (25) years from the date of commencement of delivery of water. It is currently estimated that delivery of water will commence on or about March 15, 2003 (the "Commencement Date"). This Agreement may be renewed only by written mutual agreement of CITY and USER. This Agreement shall terminate if the USER ceases to use the water to be delivered hereunder for irrigation of the golf course for a period in excess of nine (9) months.

3. USE OF RECLAIMED WATER.

- (a) The USER shall use the reclaimed water delivered by the CITY only for landscape and golf course irrigation of the Property, or other nonpotable purposes that are consistent with all local, state, and federal regulations.
- (b) The USER shall identify all proposed uses of reclaimed water. The CITY shall review these proposed uses and reasonably approve or disapprove each use; provided, however, the use of the reclaimed water for irrigation of the golf course property and related landscaping as well as filling an irrigation pond shall be permitted uses, which do not require CITY approval. Pursuant to the Development Agreement, CITY shall construct and install at its sole expense all structures (the "Transmission Lines") necessary to deliver the reclaimed water to USER to the Point of Delivery. The USER shall install at its expense the irrigation pond and irrigation system necessary to irrigate the golf course property and the related landscaping (the "Irrigation System").
- (c) The USER agrees to receive reclaimed water within thirty (30) days of the later of (i) receipt of written notice from the CITY to be given on or shortly after the completion date of the Transmission Lines or (ii) the Commencement Date. The USER shall be solely responsible for the construction, operation and maintenance of all portions of the USER's reclaimed water distribution system located within the boundaries of USER's property from the Point of Delivery forward.

4. WATER QUALITY.

Reclaimed water delivered under this Agreement shall be treated to levels acceptable to meet applicable federal, state, and local requirements for irrigation of lands with public access as such requirements may change from time to time. The CITY shall monitor water quality as required by the Texas Natural Resource Conservation Commission (TNRCC) reclaimed water use authorization. In the event of unplanned water quality deterioration the CITY will inform the USER as soon as practicable and delivery of reclaimed water shall be discontinued until quality is restored to acceptable levels. CITY shall, at the CITY's expense, provide USER with an alternate source of water in the amount set forth in Paragraph 6 (a) or (b), as applicable, to continue to irrigate the golf course and landscaping until the original source of reclaimed water is restored.

5. CROSS CONNECTION.

The CITY shall own, operate and maintain the reclaimed water distribution system upstream of the Point of Delivery. The USER shall construct, own, operate and maintain all works downstream of the Point of Delivery, including the meter, which is to be installed at CITY's expense.

The USER shall provide, if necessary, in a manner approved by the appropriate regulatory agencies or by the CITY, an appropriate back-flow protection device (the "Back-Flow Device") between the reclaimed water irrigation system and any other irrigation water source(s). The cost of Back-Flow Device and its installation shall be borne by the USER, and the complete operation of the Back-Flow Device shall be the responsibility of the USER. The USER agrees to identify to the CITY all well(s) or surface water bodies connected to the nonpotable water system.

6. VOLUME OF WATER, DELIVERY SCHEDULE, AND RIGHT TO SET RATES, FEES AND CHARGES.

- (a) During the first two years after the Commencement Date, the CITY shall make an average of 1,000,000 gallons per day of water (potable, nonpotable or reclaimed) or a suitable alternative source of water of comparable quality available to the USER at no cost to USER.
- (b) Beginning on the second anniversary of the Commencement Date and continuing throughout the term of this Agreement, CITY shall make an average of 500,000 gallons per day of water (potable, nonpotable or reclaimed) or a suitable alternative source of water of comparable quality available to the USER at no expense to USER.
- (c) Rainfall, seasonal changes and weather conditions affect the need for reclaimed water. Subject to the amount of rainfall and changing weather conditions, it is anticipated during the growing season and warm temperature months that the need for reclaimed water shall be greater than dormant months and cooler

temperature months. Thus, USER shall have the right to increase and decrease the quantity of reclaimed water used to match water needs or accommodate unforeseen circumstances. The CITY shall charge USER for such consumption in excess of the annual average amounts made available to USER as stated in Paragraphs (a) and (b) above. Such charge will be at the CITY's current water rate as that rate may change from time to time. The calculation to determine excess consumption shall be based upon annual consumption and not on a daily basis. Billing for said excess amount shall occur in January for the previous 12-month period. CITY shall notify USER in writing forty-five (45) days prior to said revised rates being enforced and said rates shall not be retroactive.

- (d) The CITY shall install and maintain at its sole expense an appropriate meter at the Point of Delivery to measure the volume of water delivered.

7. DELIVERY OF RECLAIMED WATER UNDER ADVERSE CONDITIONS.

- (a) As set forth in Paragraph 6(c) above, USER has the right to decrease its water consumption as circumstances dictate. In such instances, USER shall provide CITY advanced written notice of the USER's intent to restrict the use of the reclaimed water for a period of greater than ten (10) days. If advance written notice to the CITY is not practical, then the USER shall give oral notice of the restriction as soon as reasonably possible to be followed in writing with a full description of the circumstances justifying the restriction.

8. INABILITY TO DELIVER.

If and when situations occur where the CITY cannot deliver the reclaimed water, the CITY shall notify the USER by telephone and follow up with a letter stating the nature of the disruption of service and the anticipated duration. Notwithstanding this paragraph, if CITY is unable to provide the reclaimed water required in the amounts set forth in Paragraph 6, CITY shall immediately obtain and deliver other sources of water in the same quantities as set forth in Paragraph 6.

9. DISCLAIMER OF WARRANTIES.

- (a) Express Warranties. The CITY disclaims all express warranties except those that appear in paragraph 4 of this Agreement. The CITY does not represent nor warrant that the reclaimed water delivered to the USER shall increase the productivity of the irrigated property or result in any changes to the land, crops, or vegetation. Further, the use of any plans, specifications, water quality analysis or treated wastewater sampling during the negotiations leading to this contract serve to merely indicate the general quality of reclaimed water which will be delivered to the USER. Such plans, specifications, water quality analysis or treated wastewater samples create no warranty that the reclaimed water delivered by the CITY will conform to these items.

- (b) Implied Warranties. Except as provided in paragraph 14 of this Agreement, the CITY disclaims any implied warranties of merchantability or fitness of the reclaimed water delivered under this contract for any purposes.

10. ASSIGNMENT.

The CITY shall have the right to transfer all or any part of the treatment or distribution facilities to another public utility and to assign all or any part of its rights and obligations under this Agreement to another public utility who shall be bound by and accept, and be responsible for all applicable terms and conditions of this Agreement. Notwithstanding the CITY's ability to transfer the CITY's obligations under this Agreement, the CITY shall remain primary liable for the obligations of this Agreement if the transferee is unable to perform the obligations herein. USER may assign this Agreement to any entity or person that is purchasing, leasing or managing the Property so long as USER provides CITY written notice of the proposed transaction.

11. EXCUSE FROM PERFORMANCE BY GOVERNMENTAL ACTS.

If for any reason during the term of this Agreement, local, state or federal governments or agencies shall fail to issue necessary permits, grant necessary approvals, or shall require any change in the operation of the treatment, transmission and distribution systems or the application and use of reclaimed water, then CITY shall, at CITY's expense, arrange for alternative sources of water in the same quantities as described herein.

12. PERMITS OR NECESSARY GOVERNMENTAL APPROVAL.

CITY, at CITY's expense, shall obtain and maintain all local, state or federal permits or approvals necessary to provide water (potable, nonpotable or reclaimed) pursuant to the terms of this Agreement.

13. SALE OR ENCUMBRANCE OF LAND.

The USER's right to sell, transfer or encumber the land described in Paragraph 1(a) shall not be restricted by this Agreement.

14. INDEMNIFICATION.

- (a) The USER shall indemnify and hold harmless the CITY, including its officers, directors, employees and agents, against any and all claims, actions, suits, proceedings, costs, expenses, damages or liabilities arising out of any injury, illness or disease to persons or property caused, in whole or in part, by the reclaimed water furnished by the CITY to the USER hereunder except for: (i) negligence or intentional misconduct by CITY, its agents, or contractors; or (ii) breach of the City's obligations under paragraph 4 of this Agreement.
- (b) The USER shall save and hold harmless and indemnify the CITY, its officers, directors, agents, representatives and employees from all claims, costs, penalties,

damages and expenses (including attorney's fees) arising out of claims related to the USER's construction, erection, location, operation, maintenance, repair, installation, replacement or removal of that part of the Irrigation System controlled by the USER for effluent disposal and reuse except for negligence or intentional misconduct by CITY, its agents, or contractors..

15. ACCESS.

The CITY shall have the right, at all reasonable times, to enter upon the Property of the USER to review and inspect the Transmission Lines and Irrigation System and operations of same to verify the conditions agreed to herein; provided, however, CITY shall use all reasonable efforts to conduct such inspections so that they do not interfere with golf play, maintenance or activities on the property.

16. MISCELLANEOUS.

(a) Health and Safety.

The CITY shall comply with all TNRCC regulations relating to the use of reclaimed water upstream of the Point of Delivery. The USER shall comply with all TNRCC regulations relating to the use of reclaimed water downstream of the Point of Delivery.

(b) Operation and Maintenance Practices.

1. The USER will take all reasonable precautions and comply with all applicable TNRCC regulations, including signs and labeling on USER's Property, to clearly identify reclaimed water systems to prevent inadvertent human consumption.
2. The USER shall ensure that no inter-connections are made between the reclaimed water systems and other water systems. This shall not prohibit the storage of potable water, stormwater, surface water, well water and reclaimed water in a common storage facility if a CITY approved backflow prevention system is provided.
3. If required to do so by the TNRCC, USER shall give its approval to the CITY to conduct soil borings and locate monitoring wells at the perimeter of the Property in areas agreeable to the USER so as not to interfere with USER's operations. The actual cost of such tests and/or monitoring wells shall be borne by the CITY if the reason for such action is found to be upstream of the Point of Delivery. The cost of such tests and/or monitoring wells shall be borne by USER if the reason for such action is found to be downstream of the Point of Delivery. If the reason for such tests or monitoring wells are unknown or if the tests or monitoring results in no negative findings, the actual cost of such test or monitoring shall be

shared equally between CITY and USER. These monitoring wells shall be installed and sampled at periodic intervals by the CITY if required as part of the permit for the reclaimed water system.

17. DISCLAIMER OF THIRD PARTY BENEFICIARIES.

This Agreement is solely for the benefit of the formal parties hereto and except as expressly provided herein, no right or cause of action shall accrue upon or by reason hereof, to or for the benefit of any third party not a formal party hereto.

18. SEVERABILITY.

If any court finds any part of this Agreement invalid or unenforceable, such invalidity or unenforceability shall not affect the other parts of this Agreement if the rights and obligations of the parties contained therein are not materially prejudiced and if the intentions of the parties can continue to be effective. To that end, this Agreement is declared to be severable.

19. BINDING UPON SUCCESSORS.

This Agreement shall be binding upon and shall inure to the benefit of the successors or assigns of the parties hereto. The terms and obligations of this Agreement shall run with the land referenced in Paragraph 1(a).

20. APPLICABLE LAW.

This Agreement and the provisions contained herein shall be construed, controlled, and interpreted according to the laws of the State of Texas. This Agreement is performable in Brazos County, Texas.

21. RESTRICTED FUNDING.

City's obligations under this Agreement shall be performed using only those lawfully available current funds of the City that are made available through annual budgeting and appropriation by the Bryan City Council. Nothing in this Agreement shall ever be construed as a pledge of funds raised from ad valorem taxes.

22. NOTICES.

All notices required or authorized under this Agreement shall be given in writing and shall be served by mail on the parties at the addresses listed below, as may be changed from time to time by providing the other party with written notice:

CITY: City of Bryan
 P.O. Box 1000
 Bryan, Texas 77805
 Attn: Director of Public Works

USER: Traditions Club By Melrose, LLC
200 Merchant Street
Hilton Head, South Carolina 29926
Attn: James H. Nicksa

23. TERMINATION.

Both USER and CITY acknowledge that this Agreement shall terminate should USER fail to acquire the real property which is the subject matter of the Development Agreement.

24. ENTIRE AGREEMENT.

This written Agreement constitutes the entire agreement between the parties. Modifications to and waivers of the provisions herein shall not be binding unless made in writing and signed by the parties hereto.

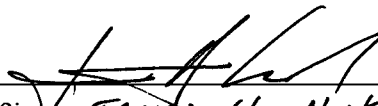
IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the date first above written.

USER:

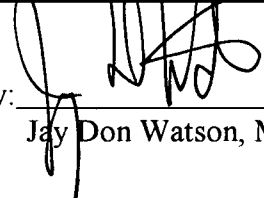
TRADITIONS CLUB BY MELROSE, LLC,
a Texas limited liability company

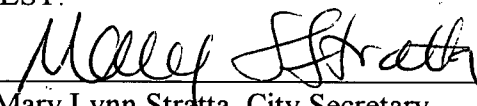
By: University Clubs by Melrose, LLC, a
South Carolina limited liability company
Its: Manager

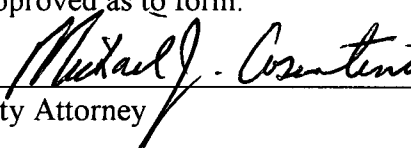
By: Melrose Asset Management Company, Inc.,
a South Carolina corporation
Its: Manager


By: 
Name: JAMES H. NILKSA
Title: V.P./CFO

CITY OF BRYAN, TEXAS:

By: 
Jay Don Watson, Mayor

ATTEST:
By: 
Mary Lynn Stratta, City Secretary

Approved as to form:

City Attorney

Approved as to substance:

City Manager

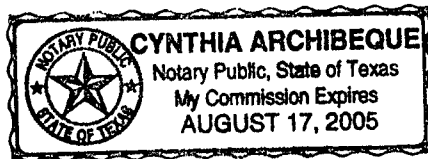
STATE OF SOUTH CAROLINA §
COUNTY OF Beaufort §

This instrument was acknowledged before me on this 16th day of September, 2002,
by James H. Nicksa, Vice President/CFO of Traditions Club By Melrose,
LLC, a Texas limited liability company, on behalf of said company.

Edith L. Reed
Notary Public, State of South Carolina

STATE OF TEXAS §
COUNTY OF BRAZOS §

This instrument was acknowledged before me on this 30th day of September, 2002,
by JAY DON WATSON, Mayor of the City of Bryan, a Texas home rule city, on behalf of said
city.



Cynthia Archibeque
Notary Public, State of Texas

EXHIBIT "A"

TRACT ONE:

Being 27.22 acres, more or less, being situated in the J. H. JONES SURVEY, A-26, and the THOMAS J. WOOTEN SURVEY, A-59, Brazos County, Texas, and being a part of the called 27.72 acre tract described in the Deed from The Estate of John William Davros to Bryan Commerce and Development, Incorporated, dated August 1, 2001, recorded in Volume 4267, page 316, and a part of the called 28.40 acre tract described in the Deeds from The Estate of John William Davros, et al, of various dates, and recorded in Volume 3976, pages 140, 143, 149, 155, 161 and 167, and in Volume 4267, page 328 and a part of the called 298.51 acre tract described in the Deed from Dexter T. Gabbard, et al, dated December 7, 2000, recorded in Volume 4006, pages 163, 186 and 195 of the Official Records of Brazos County, Texas; said 27.22 acre tract being more particularly described by metes and bounds on Exhibit "A" attached hereto and made a part hereof for all purposes.

TRACT TWO:

Being 26.81 acres, more or less, being situated in the J. H. JONES SURVEY, A-26, Brazos County, Texas, and being a part of the called 298.51 acre tract described in the Deed from Dexter T. Gabbard, et al, to Bryan Commerce and Development, Incorporated, dated December 7, 2000, recorded in Volume 4006, pages 163, 186 and 195 of the Official Records of Brazos County, Texas; said 26.81 acre tract being more particularly described by metes and bounds on Exhibit "B" attached hereto and made a part hereof for all purposes.

TRACT THREE:

Being 87.88 acres, more or less, being situated in the J. H. JONES SURVEY, A-26 and the THOMAS J. WOOTEN SURVEY, A-59, Brazos County, Texas, and being a part of the called 44.97 acre tract described in the Deed from Nelleen Restmeyer to Bryan Commerce and Development Incorporated dated November 9, 2000, recorded in Volume 3978, page 137, and a part of the called 101.96 acre tract from Turkey Creek Investments, Inc. to Bryan Commerce and Development Incorporation, recorded in Volume 3983, page 54 of the Official Records of Brazos County, Texas, and a part of the called 298.51 acre tract described in the deeds from Dexter T. Gabbard, et al dated December 7, 2000, recorded in Volume 4006, pages 163, 186 and 195 and a part of the called 87.20 acre tract described in the deeds from Cashion Limited Partnership, et al to Bryan Commerce and Development, Incorporated, dated January 5, 2001, recorded in Volume 4023, Page 71 of the Official Records of Brazos County, Texas, said 87.88 acre tract being more particularly described by metes and bounds on Exhibit "C" attached hereto and made a part hereof for all purposes.

TRACT FOUR:

Being 22.72 acres, more or less, being situated in the J. H. JONES SURVEY, A-26, Brazos County, Texas and being a part of the called 101.96 acre tract described in the deed from Turkey Creek Investments to Bryan Commerce and Development, Incorporated recorded in Volume 3983, page 54, and a part of the called 298.51 acre tract described in the deeds from Dexter T. Gabbard, et al, dated December 7, 2000, recorded in Volume 4006, pages 163, 186 and 195 of the Official Records of Brazos County, Texas; said 22.72 acre tract being more particularly

described by metes and bounds on Exhibit "D" attached hereto and made a part hereof for all purposes.

TRACT FIVE:

Being 19.04 acres more or less, being situated in the J. H. JONES SURVEY, A-26, Brazos County, Texas, being a part of the called 298.51 acre tract described in the deed dated December 7, 2000, from Dexter T. Gabbard, et al, to Bryan Commerce and Development, Incorporated, recorded in Volume 4006, pages 163, 186 and 195, and a part of the called 101.96 acre tract described in the deed from Turkey Creek Investments, Inc. dated November 16, 2000, recorded in Volume 3983, page 54, and a part of the called 25.01 acre tract described in the deed dated November 28, 2000, from Billy J. Kling to Bryan Commerce and Development, Inc. recorded in Volume 3989, page 201 of the Official Records of Brazos County, Texas; said 19.04 acre tract being more particularly described by metes and bounds on Exhibit "E" attached hereto and made a part hereof for all purposes.

TRACT SIX:

Being 35.07 acres, more or less, being situated in the J. H. JONES SURVEY, A-26, Brazos County Texas, and being a part of the called 25.01 acre tract described in the deed dated November 28, 2000, from Billy J. Kling to Bryan Commerce and Development, Inc., recorded in Volume 3989, page 201, and a part of the called 87.20 acre tract described in the deeds from Cashion Family Partnership, et al, to Bryan Commerce and Development Incorporated, dated January 5, 2001, recorded in Volume 4023, Page 71 of the Official Records of Brazos County, Texas; said 35.07 acre tract being more particularly described by metes and bounds on Exhibit "F" attached hereto and made a part hereof for all purposes.

TRACT SEVEN:

Being 10.52 acres more or less, being situated in the J. H. JONES SURVEY, A-26, Brazos County, Texas, being a part of the called 298.51 acre tract described in the deed dated December 7, 2000, from Dexter T. Gabbard, et al, to Bryan Commerce and Development, Incorporated, recorded in Volume 4006, pages 163, 186 and 195, and a part of the called 87.20 acre tract described in the deeds from Cashion Family Partnership, et al, to Bryan Commerce and Development Incorporated, dated January 5, 2001, recorded in Volume 4023, Page 71 of the Official Records of Brazos County, Texas; said 10.52 acre tract being more particularly described by metes and bounds on Exhibit "G" attached hereto and made a part hereof for all purposes.

Traditions Golf & Country Club
 Bryan Commerce and Development, Inc.
 27.22 Acre - Tract One
 Thomas J. Wooten Survey, A-59
 J. H. Jones Survey, A-26
 Bryan, Brazos County, Texas

Field notes of a 27.22 acre tract or parcel of land, lying and being situated in the Thomas J. Wooten Survey, Abstract No. 59 and in the J. H. Jones Survey, Abstract No. 26, Bryan, Brazos County, Texas, and being part of the following tracts:

● 26.72 acre tract described in the deed from The Estate of John William Davros to Bryan Commerce and Development, Inc. as recorded in Volume 4267, Page 316, of the Official Records of Brazos County, Texas;

● 28.40 acre tract described in the deed from Alice Smith to Bryan Commerce and Development, Inc. as recorded in Volume 3976, Page 140, of the Official Records of Brazos County, Texas;

● 298.51 acre tract described in the deed from Dexter T. Gabbard, et ux to Bryan Commerce and Development, Inc. as recorded in Volume 4006, Page 195, of the Official Records of Brazos County, Texas, and said 27.22 acre tract being more particularly described as follows:

BEGINNING at the ½" iron rod found marking the north corner of the beforementioned 26.72 acre tract, same being the west corner of the called 49.9983 acre tract - Volume 1239, Page 109, of the Official Records of Brazos County, Texas, in the southeast right-of-way line of West Villa Maria Road, from which control monument #5, having coordinates of Northing (y) = 361,267.53' and Easting (x) = 3,240,023.14 and control monument #8, having coordinates of Northing (y) = 364,117.21 and Easting (x) = 3,244,757.70' (both are ½" iron rods found at aerial panel points - Texas State Plane Coord. System, Central Zone, NAD-27 Datum - U.S. Survey feet) are referenced as follows: control monument #5 bears S 08° 38' 56" E - 7462.35 feet, and control monument #8 bears S 52° 17' 34" E - 7402.88 feet;

THENCE S 45° 44' 15" E along the northeast line of the beforementioned 26.72 acre tract, same being the southwest line of the beforementioned 49.9983 acre tract, adjacent to a fence, for a distance of 300.83 feet to a ½" iron rod set;

THENCE through the interior of the beforementioned 26.72 acre tract, the beforementioned 298.51 acre tract and the beforementioned 28.40 acre tract and along lines which encompass Traditions Golf Course proposed golf holes #5B and 6B, as follows:

Traditions Golf & Country Club
 Bryan Commerce and Development, Inc.
 27.22 Acre - Tract One
 Continued - Page 2

S 33° 59' 44" W for a distance of 98.19 to a ½" iron rod set,
 S 19° 37' 12" E for a distance of 183.86 feet to a ½" iron rod set at the
 beginning of a curve, concave to the northeast, having a
 radius of 175.00 feet,
 Southeasterly along said curve for an arc length of 74.81 feet to a ½" iron rod set
 at the end of this curve, the chord bears S 31° 52' 02" E -
 74.24 feet,
 S 44° 06' 51" E at a distance of 749.14 feet, cross the common line
 between the 26.72 acre tract and the 298.51 acre tract,
 continue on for a total distance of 768.39 feet to a ½" iron
 rod set for the beginning of a curve, concave to the
 southwest, having a radius of 75.00 feet,
 Southeasterly along said curve for an arc length of 27.57 feet to a ½" iron rod set
 at the end of this curve, (the chord bears S 33° 34' 58" E -
 27.42 feet), same being the beginning of a curve, concave
 to the northeast, having a radius of 90.00 feet,
 Southeasterly along said curve for an arc length of 49.00 feet to a ½" iron rod set
 at the end of this curve, the chord bears S 38° 38' 59" E -
 48.40 feet,
 S 54° 14' 54" E for a distance of 21.18 feet to a ½" iron rod set in the
 north right-of-way line of a proposed street, same being in
 a curve, concave to the north, having a radius of 175.00
 feet, from which a ½" iron rod set at a north corner of the
 26.81 acre Tract Two bears S 48° 34' 55" E - 53.19 feet,
 Westerly along said curve and along the north right-of-way line of said proposed
 street for an arc length of 28.46 feet to a ½" iron rod set at
 the end of this curve, the chord bears S 68° 49' 17" W -
 28.43 feet,
 S 73° 28' 52" W continuing along the north right-of-way line of said
 proposed street for a distance of 134.58 feet to a ½" iron
 rod set,
 N 54° 37' 56" W for a distance of 86.37 feet to a ½" iron rod set,
 N 57° 37' 37" W for a distance of 759.82 feet to a ½" iron rod set at the
 beginning of a curve, concave to the northeast, having a
 radius of 175.00 feet,
 Northwesternly along said curve for an arc length of 114.86 feet to a ½" iron rod
 set at the end of this curve, the chord bears N 38° 49' 29"
 W - 112.81 feet,
 N 20° 01' 20" W for a distance of 234.52 feet to a ½" iron rod set at the
 beginning of a curve, concave to the south, having a radius
 of 30.00 feet,

Traditions Golf & Country Club
 Bryan Commerce and Development, Inc.
 27.22 Acre - Tract One
 Continued - Page 3

Westerly along said curve for an arc length of 76.44 feet to a ½" iron rod set at the end of this curve, the chord bears S 86° 58' 56" W - 57.38 feet,

S 13° 59' 12" W at a distance of 466.39 feet, cross the common line between the 26.72 acre tract and the 28.40 acre tract, continue on for a total distance of 670.11 feet to a ½" iron rod set at the beginning of a curve, concave to the east, having a radius of 90.00 feet,

Southerly along said curve for an arc length of 88.89 feet to a ½" iron rod set at the end of this curve, the chord bears S 14° 18' 27" E - 85.32 feet,

S 42° 36' 07" E for a distance of 699.00 feet to a ½" iron rod set at the beginning of a curve, concave to the west, having a radius of 175.00 feet,

Southerly along said curve for an arc length of 182.41 feet to a ½" iron rod set at the end of this curve, the chord bears S 12° 44' 27" E - 174.26 feet,

S 30° 37' 02" E for a distance of 54.74 feet to a ½" iron rod set in the north right-of-way line of the proposed University Ranch Drive, from which the ½" iron rod found marking the east corner of the 28.40 acre tract bears N 26° 38' 59" E - 426.34 feet and the ½" iron rod set at a north corner of the 87.88 acre Tract Three in the east right-of-way line of the proposed University Ranch Drive bears S 81° 24' 29" E - 178.88 feet,

S 63° 32' 00" W along the northerly right-of-way line of the beforementioned proposed University Ranch Drive for a distance of 261.62 feet to a ½" iron rod set,

N 19° 59' 32" W for a distance of 45.72 feet to a ½" iron rod set,

N 65° 25' 40" W for a distance of 307.22 feet to a ½" iron rod set at the beginning of a curve, concave to the northeast, having a radius of 175.00 feet,

Northwesterly along said curve for an arc length of 113.12 feet to a ½" iron rod set at the end of this curve, the chord bears N 46° 54' 37" W - 111.16 feet,

N 28° 23' 34" W for a distance of 731.48 feet to a ½" iron rod set at the beginning of a curve, concave to the southwest, having a radius of 500.00 feet,

Northwesterly along said curve for an arc length of 171.30 feet to a ½" iron rod set at the end of this curve, the chord bears N 38° 12' 28" W - 170.47 feet,

Traditions Golf & Country Club
 Bryan Commerce and Development, Inc.
 27.22 Acre - Tract One
 Continued - Page 4

N 48° 01' 22" W for a distance of 105.04 feet to a ½" iron rod set in the southeast right-of-way line of West Villa Maria Road, from which an 8" creosote post fence corner in the southeast right-of-way line of West Villa Maria Road marking the west corner of the 28.40 acre tract bears S 42° 22' 16" W - 443.01 feet;

THENCE along the southeast right-of-way line of West Villa Maria Road, same being the northwest line of the beforementioned 28.40 acre and 26.72 acre tracts, as follows:

N 42° 22' 16" E for a distance of 446.69 feet to a ½" iron rod found marking the common corner of said tracts,
 N 47° 43' 44" E for a distance of 875.42 feet to a ½" iron rod found at angle point corner,
 N 59° 36' 32" E at a distance of 2.64 feet, pass a concrete right-of-way marker found, continue on for a total distance of 13.27 feet to the **PLACE OF BEGINNING**, containing 27.22 acres of land, more or less.

Bearings oriented to grid north based on Texas State Plane Coord. System (NAD-27 DATUM), central zone, convergence = 02° 01' 56". Distances are surface not grid. To convert from surface to grid apply 0.9998907 scale factor.



Surveyed August 2001

By:

[Signature]

S. M. Kling
 R.P.L.S. No. 2003

Prepared 8/13/01
 Revised 10/3/01
 updated Tract Two acreage

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Traditions Golf & Country Club
 Bryan Commerce and Development, Inc.
 26.81 Acre - Tract Two
 J. H. Jones Survey, A-26
 Bryan, Brazos County, Texas

Field notes of a 26.81 acre tract or parcel of land, lying and being situated in the J. H. Jones Survey, Abstract No. 26, Bryan, Brazos County, Texas, and being part of the 298.51 acre tract described in the deed from Dexter T. Gabbard, et ux to Bryan Commerce and Development, Inc. as recorded in Volume 4006, Page 195, of the Official Records of Brazos County, Texas, and said 26.81 acre tract being more particularly described as follows:

COMMENCING at the ½" iron rod found marking the north corner of the Bryan Commerce and Development, Inc. - 26.72 acre tract, Volume 4267, Page 316, of the Official Records of Brazos County, Texas, same being the west corner of the called 49.9983 acre tract - Volume 1239, Page 109, of the Official Records of Brazos County, Texas, in the southeast right-of-way line of West Villa Maria Road, from which control monument #5, having coordinates of Northing (y) = 361,267.53' and Easting (x) = 3,240,023.14 and control monument #8, having coordinates of Northing (y) = 364,117.21 and Easting (x) = 3,244,757.70' (both are ½" iron rods found at aerial panel points - Texas State Plane Coord. System, Central Zone, NAD-27 Datum - U.S. Survey feet) are referenced as follows: control monument #5 bears S 08° 38' 56" E - 7462.35 feet, and control monument #8 bears S 52° 17' 34" E - 7402.88 feet;

THENCE S 62° 48' 55" E for a distance of 4395.86 feet to a ¾" iron rod found at a 4" cedar post fence corner marking the easterly north corner of the 298.51 acre tract in the southwest line of Gabbard Road extension, and same being the west corner of the TAMU - called 838 acre tract, Volume "M", Page 142, of the Deed Records of Brazos County, Texas;

THENCE S 41° 48' 47" W along the easterly northwest line of the beforementioned 298.51 acre tract, same being the southeast line of the Galindo Interests, Ltd - called 40.00 acre tract described in Volume 1612, Page 214, of the Official Records of Brazos County, Texas, and same being along the northwest right-of-way line of the proposed University Ranch Drive for a distance of 189.02 feet to a ½" iron rod found marking an interior ell corner of the 198.51 acre tract and the south corner of the 40.00 acre tract, same being the **PLACE OF BEGINNING** of this description;

THENCE through the interior of the beforementioned 298.51 acre tract and along lines which encompass Traditions Golf Course proposed golf holes #2B, #3B and #4B, as follows:

S 68° 31' 17" E along the said proposed right-of-way line of University Ranch Drive for a distance of 43.05 feet to a ½" iron rod set,

Traditions Golf & Country Club
 Bryan Commerce and Development, Inc.
 26.81 Acre - Tract Two
 J. H. Jones Survey, A-26
 Bryan, Brazos County, Texas
 Continued - Page 2

S 23° 50' 45" W along the said right-of-way line of the proposed University Ranch Drive for a distance of 25.22 feet to a ½" iron rod set at the beginning of a curve, concave to the northwest, having a radius of 255.00 feet,

Southwesterly along said curve, along said westerly right-of-way line for an arc length of 267.79 feet to a ½" iron rod set at the end of this curve, the chord bears S 53° 55' 52" W - 255.66 feet, and a ½" iron rod set at a north corner of the 87.88 acre - Tract Three bears S 24° 10' 58" W - 115.66 feet,

S 84° 00' 58" W continuing along the northerly right-of-way line of the proposed University Ranch Drive for a distance of 502.47 feet to a ½" iron rod set,

N 24° 44' 07" W for a distance of 86.50 feet to a ½" iron rod set at the beginning of a curve, concave to the southwest, having a radius of 95.00 feet,

Northwesterly along said curve for an arc length of 44.87 feet to a ½" iron rod set at the end of this curve, the chord bears N 38° 15' 57" W - 44.45 feet,

N 51° 47' 46" W for a distance of 15.50 feet to a ½" iron rod set at the beginning of a curve, concave to the northeast, having a radius of 170.00 feet,

Northwesterly along said curve for an arc length of 124.43 feet to a ½" iron rod set at the end of this curve, the chord bears N 30° 49' 37" W - 121.67 feet,

N 09° 51' 28" W for a distance of 24.65 feet to a ½" iron rod set at the beginning of a curve, concave to the southwest, having a radius of 80.00 feet,

Northwesterly along said curve for an arc length of 97.79 feet to a ½" iron rod set at the end of this curve, the chord bears N 44° 52' 37" W - 91.82 feet,

N 79° 53' 46" W for a distance of 673.05 feet to a ½" iron rod set at the beginning of a curve, concave to the northeast, having a radius of 195.00 feet,

Northwesterly along said curve for an arc length of 123.04 feet to a ½" iron rod set at the end of this curve, the chord bears N 61° 49' 14" W - 121.02 feet,

N 43° 44' 42" W for a distance of 602.57 feet to a ½" iron rod set at the beginning of a curve, concave to the south, having a radius of 100.00 feet,

Westerly along said curve for an arc length of 141.48 feet to a ½" iron rod set at the end of this curve, the chord bears N 84° 16' 31" W - 129.97 feet,

Traditions Golf & Country Club
 Bryan Commerce and Development, Inc.
 26.81 Acre - Tract Two
 Continued - Page 3

S 55° 11' 40" W	for a distance of 487.22 feet to a ½" iron rod set,
S 28° 05' 20" W	for a distance of 86.64 feet to a ½" iron rod set in the
	northerly right-of-way line of the beforementioned proposed
	University Ranch Drive,
N 62° 47' 16" W	along the northerly right-of-way line of the proposed
	University Ranch Drive for a distance of 20.05 feet to a ½"
	iron rod set at the beginning of a curve, concave to the
	southwest, having a radius of 605.00 feet,
Westerly along said curve,	along the northerly right-of-way line of said proposed
	University Ranch Drive for an arc length of 213.80 feet to a
	½" iron rod set, the chord bears N 72° 54' 42" W - 212.69
	feet,
N 04° 21' 35" E	for a distance of 57.51 feet to a ½" iron rod set,
N 48° 57' 19" W	for a distance of 238.00 feet to a ½" iron rod set at the
	beginning of a curve, concave to the east, having a radius
	of 175.00 feet,
Northwesterly along said curve	for an arc length of 268.77 feet to a ½" iron rod
	set at the end of this curve, the chord bears N 04° 57' 27"
	W - 243.12 feet,
N 17° 11' 31" W	for a distance of 30.32 feet to a ½" iron rod set in the
	south right-of-way line of a proposed street, from which a
	½" iron rod set at a south corner of the 27.22 acre Tract
	One bears N 17° 11' 31" W - 50.00 feet,
N 73° 28' 52" E	along said south right-of-way line of a proposed street
	for a distance of 134.00 feet to a ½" iron rod set at the
	beginning of a curve, concave to the north, having a radius
	of 225.00 feet,
Northeasterly along said curve and along said south right-of-way line of proposed	street for an arc length of 57.19 feet to a ½" iron rod set for
	corner, the chord bears N 66° 11' 57" E - 57.04 feet,
S 48° 58' 03" E	for a distance of 180.12 feet to a ½" iron rod set at the
	beginning of a curve, concave to the northeast, having a
	radius of 190.00 feet,
Easterly along said curve	for an arc length of 206.53 feet to a ½" iron rod set at
	the end of this curve, the chord bears S 80° 06' 31" E -
	196.52 feet,
N 68° 45' 02" E	for a distance of 287.55 feet to a ½" iron rod set in the
	southwest line of the 1.62 acre production mineral
	development easement recorded in Volume 4006, Page
	171, of the Official Records of Brazos County, Texas,
S 48° 34' 08" E	for a distance of 19.22 feet to a ½" iron rod found at the
	south corner of said 1.62 acre tract,

Traditions Golf & Country Club
 Bryan Commerce and Development, Inc.
 26.81 Acre - Tract Two
 Continued - Page 4

N 65° 37' 05" E for a distance of 380.27 feet to a 1/2" iron rod set in the northeast line of the 298.51 acre tract, from which a 3/8" iron rod found marking a north corner of the 298.51 acre tract bears N 48° 34' 43" W - 551.30 feet;

THENCE along the northeasterly lines of the beforementioned 298.51 acre tract, same being the southwesterly line of the beforementioned Galindo - 40.00 acre tract, as follows:

S 48° 34' 43" E for a distance of 818.07 feet to a 1/2" iron rod found at angle point corner,
 S 68° 31' 17" E for a distance of 1411.82 feet to the **PLACE OF BEGINNING**, containing 26.81 acres of land, more or less.

Bearings oriented to grid north based on Texas State Plane Coord. System (NAD-27 DATUM), central zone, convergence = 02° 01' 56". Distances are surface not grid. To convert from surface to grid apply 0.9998907 scale factor.



Surveyed August 2001

By:

S. M. Kling
 R.P.L.S. No. 2003

Prepared 8/13/01

Revised 10/3/01
 reduced to 26.81 acres

kes01-03a:\traditionstracttwo26.81ac.wpd

Traditions Golf & Country Club
 Bryan Commerce and Development, Inc.
 87.88 Acre - Tract Three
 Thomas J. Wooten Survey, A-59
 J. H. Jones Survey, A-26
 Bryan, Brazos County, Texas

Field notes of an 87.88 acre tract or parcel of land, lying and being situated in the Thomas J. Wooten Survey, Abstract No. 59 and in the J. H. Jones Survey, Abstract No. 26, Bryan, Brazos County, Texas, and being part of the following tracts:

• 44.97 acre tract described in the deed from Nelleen Restmeyer to Bryan Commerce and Development, Inc. as recorded in Volume 3978, Page 137, of the Official Records of Brazos County, Texas;

• 101.96 acre tract described in the deed from Turkey Creek Investments, Inc., to Bryan Commerce and Development, Inc. as recorded in Volume 3983, Page 54, of the Official Records of Brazos County, Texas;

• 298.51 acre tract described in the deed from Dexter T. Gabbard, et ux to Bryan Commerce and Development, Inc. as recorded in Volume 4006, Page 195, of the Official Records of Brazos County, Texas;

• 87.20 acre Tract 1 described in the deed from Cashion Family Limited Partnership to Bryan Commerce and Development, Inc. as recorded in Volume 4023, Page 71, of the Official Records of Brazos County, Texas, and said 87.88 acre tract being more particularly described as follows:

COMMENCING at the $\frac{1}{2}$ " iron rod found marking the north corner of the Bryan Commerce and Development, Inc. - 26.72 acre tract, Volume 4267, Page 316, of the Official Records of Brazos County, Texas, same being the west corner of the called 49.9983 acre tract - Volume 1239, Page 109, of the Official Records of Brazos County, Texas, in the southeast right-of-way line of West Villa Maria Road, from which control monument #5, having coordinates of Northing (y) = 361,267.53' and Easting (x) = 3,240,023.14 and control monument #8, having coordinates of Northing (y) = 364,117.21 and Easting (x) = 3,244,757.70' (both are $\frac{1}{2}$ " iron rods found at aerial panel points - Texas State Plane Coord. System, Central Zone, NAD-27 Datum - U.S. Survey feet) are referenced as follows: control monument #5 bears S 08° 38' 56" E - 7462.35 feet, and control monument #8 bears S 52° 17' 34" E - 7402.88 feet;

THENCE S 55° 31' 48" E for a distance of 4318.30 feet to a $\frac{1}{2}$ " iron rod set at the **PLACE OF BEGINNING** of this description in the south right-of-way line of the proposed University Ranch Drive, from which a $\frac{3}{8}$ " iron rod found at a 4" cedar post fence corner marking the easterly north corner of the 298.51 acre tract, same being the west corner of the TAMU - called 838 acre tract, Volume "M", Page 142, of the Deed Records of Brazos County, Texas, bears N 38° 47' 11" E - 559.02 feet;

Traditions Golf & Country Club
 Bryan Commerce and Development, Inc.
 87.88 Acre - Tract Three
 Continued - Page 2

THENCE through the interior of the beforementioned 298.51 acre tract, the beforementioned 87.20 acre tract, the beforementioned 101.96 acre tract and the beforementioned 44.97 acre tract, and along lines which encompass Traditions Golf Course proposed golf holes #5A, #6A, #7A, #8A, #9A, #1B, #7B, #8B & #9B, as follows:

N 84° 00' 58" E along the south right-of-way line of the beforementioned proposed University Ranch Drive for a distance of 58.12 feet to a ½" iron rod set at the beginning of a curve, concave to the north, having a radius of 355.00 feet,
 Northeasterly along said curve, along the south right-of-way line of the proposed University Ranch Drive for an arc length of 350.29 feet to a ½" iron rod set, the chord bears N 55° 44' 53" E - 336.26 feet,
 S 62° 31' 13" E for a distance of 29.20 feet,
 S 19° 07' 52" W for a distance of 187.63 feet to a ½" iron rod set at the beginning of a curve, concave to the west, having a radius of 175.00 feet,
 Southeasterly along said curve for an arc length of 497.52 feet to a ½" iron rod set at the end of this curve, the chord bears S 11° 15' 53" E - 346.11 feet,
 S 70° 10' 47" W for a distance of 198.78 feet to a ½" iron rod set at the beginning of a curve, concave to the southeast, having a radius of 175.00 feet,
 Southwesterly along said curve for an arc length of 87.36 feet to a ½" iron rod set at the end of this curve, the chord bears S 55° 52' 44" W - 86.45 feet,
 S 41° 34' 41" W for a distance of 535.78 feet to a ½" iron rod set at the beginning of a curve, concave to the northwest, having a radius of 175.00 feet,
 Southwesterly along said curve for an arc length of 92.91 feet to a ½" iron rod set at the end of this curve, the chord bears S 56° 47' 15" W - 91.82 feet,
 S 71° 59' 48" W for a distance of 769.97 feet to a ½" iron rod set at the beginning of a curve, concave to the east, having a radius of 60.00 feet,
 Southerly along said curve for an arc length of 151.22 feet to a ½" iron rod set at the end of this curve, the chord bears S 00° 12' 17" E - 114.26 feet,
 S 72° 24' 23" E for a distance of 679.95 feet to a ½" iron rod set at the beginning of a curve, concave to the southwest, having a radius of 175.00 feet,

Traditions Golf & Country Club
 Bryan Commerce and Development, Inc.
 87.88 Acre - Tract Three
 Continued - Page 3

Southeasterly along said curve, at a chord distance of 159.05 feet, cross the common line between the 298.51 acre tract and the 87.20 acre tract, from which a ½" iron rod found at a 6" creosote post fence corner marking the north corner of the 87.20 acre tract in the southeast line of the 298.51 acre tract bears N 41° 42' 22" E - 574.00 feet, continue along said curve for an arc length of 192.28 feet to a ½" iron rod set at the end of this curve, the chord bears S 40° 55' 45" E - 182.76 feet,

S 09° 27' 06" E for a distance of 503.55 feet to a ½" iron rod set at the beginning of a curve, concave to the west, having a radius of 175.00 feet,

Southerly along said curve for an arc length of 134.87 feet to a ½" iron rod set at the end of this curve, (the chord bears S 12° 37' 36" W - 131.56 feet), same being the beginning of a curve concave to the east, having a radius of 90.00 feet,

Southerly along said curve for an arc length of 122.85 feet to a ½" iron rod set at the end of this curve, the chord bears S 04° 23' 51" E - 113.53 feet,

S 43° 30' 02 E for a distance of 109.30 feet to a ½" iron rod set at the beginning of a curve, concave to the northwest, having a radius of 75.00 feet,

Southwesterly along said curve for an arc length of 213.39 feet to a ½" iron rod set at the end of this curve, the chord bears S 38° 00' 33" W - 148.36 feet,

N 60° 28' 52" W for a distance of 669.99 feet to a ½" iron rod set at the beginning of a curve, concave to the east, having a radius of 175.00 feet,

Northwesterly along said curve, at a chord distance of 28.76 feet, cross the said common line between the 87.20 acre tract and the 298.51 acre tract, continue along said curve for an arc length of 302.10 feet to a ½" iron rod set at the end of this curve, the chord bears N 11° 01' 38" W - 265.96 feet,

N 38° 25' 36" E for a distance of 111.43 feet to a ½" iron rod set at the beginning of curve, concave to the southwest, having a radius 90.00 feet,

Northerly along said curve for an arc length of 136.60 feet to a ½" iron rod set at the end of this curve, the chord bears N 05° 03' 12 W - 123.86 feet,

N 48° 31' 59" W for a distance of 498.45 feet to a ½" iron rod set at the beginning of a curve, concave to the south having a radius of 90.00 feet,

Traditions Golf & Country Club
 Bryan Commerce and Development, Inc.
 87.88 Acre - Tract Three
 Continued - Page 4

Westerly along said curve for an arc length of 105.00 feet to a ½" iron rod set at the end of this curve, (the chord bears N 81° 57' 24" W - 99.15 feet), same being the beginning of a curve, concave to the north, having a radius of 175.00 feet,

Westerly along said curve for an arc length of 179.97 feet to a ½" iron rod set at the end of this curve, the chord bears N 85° 55' 07" W - 172.14 feet,

N 56° 27' 25" W for a distance of 483.01 feet to a ½" iron rod set at the beginning of a curve, concave to the northeast, having a radius of 175.00 feet,

Northwesterly along said curve for an arc length of 42.57 feet to a ½" iron rod set at the end of this curve, the chord bears N 49° 29' 18" W - 42.46 feet,

N 42° 31' 12" W for a distance of 697.78 feet to a ½" iron rod set at the beginning of a curve, concave to the northeast, having a radius of 240.00 feet,

Northwesterly along said curve for an arc length of 92.50 feet to a ½" iron rod set at the end of this curve, the chord bears N 31° 28' 44" W - 91.93 feet,

N 20° 26' 15" W for a distance of 130.05 feet to a ½" iron rod set,

N 42° 10' 18" W for a distance of 123.08 feet to a ½" iron rod set at the beginning of a curve, concave to the south, having a radius of 30.00 feet,

Westerly along said curve for an arc length of 44.95 feet to a ½" iron rod set at the end of this curve, the chord bears N 85° 05' 30" W - 40.86 feet,

S 51° 59' 18" W for a distance of 74.39 feet to a ½" iron rod set at the beginning of a curve, concave to the northwest, having a radius of 175.00 feet,

Southwesterly along said curve for an arc length of 48.16 feet to a ½" iron rod set at the end of this curve, the chord bears S 59° 52' 20" W - 48.01 feet,

S 67° 45' 22" W for a distance of 629.03 feet to a ½" iron rod set at the beginning of a curve, concave to the northeast, having a radius of 580.00 feet,

Westerly along said curve for an arc length of 602.30 feet to a ½" iron rod set at the end of this curve, the chord bears N 82° 29' 41" W - 575.60 feet,

N 52° 44' 44" W for a distance of 146.29 feet to a ½" iron rod set at the beginning of a curve, concave to the south, having a radius of 30.00 feet,

Southwesterly along said curve for an arc length of 61.68 feet to a ½" iron rod set at the end of this curve, the chord bears S 68° 21' 18" W - 51.38 feet,

Traditions Golf & Country Club
 Bryan Commerce and Development, Inc.
 87.88 Acre - Tract Three
 Continued - Page 5

S 09° 27' 20" W for a distance of 484.11 feet to a ½" iron rod set in the west right-of-way line of the beforementioned proposed University Ranch Drive,
 N 77° 10' 09" W along the west right-of-way of the said proposed University Ranch Drive for a distance of 173.96 feet to a ½" iron rod set,
 N 12° 49' 51" E for a distance of 18.26 feet to a ½" iron rod set at the beginning of a curve, concave to the northeast, having a radius of 330.00 feet,
 Northerly along said curve for an arc length of 301.18 feet to a ½" iron rod set at the end of this curve, the chord bears N 21° 04' 51" W - 290.83 feet,
 N 05° 03' 54" E at a distance of 49.84 feet, cross the common line between the 101.96 acre tract and the 298.51 acre tract, at a distance of 234.78 feet, cross the common line between the 298.51 acre tract and the 44.97 acre tract, continue on for a total distance of 382.07 feet to a ½" iron rod set at the beginning of a curve, concave to the southeast, having a radius of 175.00 feet,
 Northeasterly along said curve for an arc length of 300.91 feet to a ½" iron rod set at the end of this curve, the chord bears N 54° 19' 28" E - 265.19 feet,
 S 76° 24' 58" E for a distance of 210.98 feet to a ½" iron rod set,
 N 23° 16' 49" E for a distance of 75.22 feet to a ½" iron rod set at the beginning of a curve, concave to the northwest, having a radius of 90.00 feet,
 Northerly along said curve for an arc length of 48.02 feet to a ½" iron rod set at the end of this curve, the chord bears N 07° 59' 37" E - 47.46 feet,
 N 07° 17' 35" W for a distance of 176.41 feet to a ½" iron rod set in the south right-of-way line of the beforementioned proposed University Ranch Drive, same being in a curve, concave to the north, having a radius of 655.00 feet,
 Northeasterly along said curve, along the south right-of-way line of the proposed University Ranch Drive for an arc length of 131.95 feet to a ½" iron rod set at the end of this curve, the chord bears N 69° 18' 17" E - 131.73 feet,
 N 63° 32' 00" E along the southerly right-of-way line of the proposed University Ranch Drive for a distance 548.31 feet to a ½" iron rod set at the beginning of a curve, concave to the south, having a radius of 945.00 feet,
 Northeasterly along said curve for an arc length of 72.14 feet to a ½" iron rod set for corner, the chord bears N 65° 43' 13" E - 72.13 feet,

Traditions Golf & Country Club
 Bryan Commerce and Development, Inc.
 87.88 Acre - Tract Three
 Continued - Page 6

S 22° 30' 07" E for a distance of 136.57 feet to a ½" iron rod set at the beginning of a curve, concave to the west, having a radius of 75.00 feet,
 Southerly along said curve for an arc length of 19.23 feet to a ½" iron rod set at the end of this curve, the chord bears S 15° 09' 20" E - 19.18 feet,
 S 07° 48' 34" E for a distance of 127.93 feet to a ½" iron rod set at the beginning of a curve, concave to the northeast, having a radius of 30.00 feet,
 Southeasterly along said curve for an arc length of 48.43 feet to a ½" iron rod set at the end of this curve, the chord bears S 54° 03' 23" E - 43.34 feet,
 N 79° 41' 48" E for a distance of 180.49 feet to a ½" iron rod set,
 N 74° 14' 04" E for a distance of 350.73 feet to a ½" iron rod set,
 S 72° 30' 40" E for a distance of 100.00 feet to a ½" iron rod set,
 S 54° 03' 02" E for a distance of 100.00 feet to a ½" iron rod set,
 S 35° 35' 25" E for a distance of 100.00 feet to a ½" iron rod set,
 S 15° 08' 26" E for a distance of 121.30 feet to a ½" iron rod set,
 S 33° 42' 07" E for a distance of 206.39 feet to a ½" iron rod set,
 S 16° 56' 05" E for a distance of 67.00 feet to a ½" iron rod set,
 S 56° 30' 24" E for a distance of 706.50 feet to the beginning of a curve, concave to the northeast, having a radius of 175.00 feet,
 Southeasterly along said curve for an arc length of 34.38 feet to a ½" iron rod set at the end of this curve, the chord bears S 62° 08' 08" E - 34.33 feet,
 S 67° 45' 52" E for a distance of 322.92 feet to a ½" iron rod set on the northerly bank of a creek (tributary to Turkey Creek);

THENCE along the northerly bank of said creek (located on-the-ground August 2001) and continuing through the interior of the beforementioned 298.51 acre tract, as follows:

N 28° 02' 12" E for a distance of 8.28 feet to a ½" iron rod set,
 N 53° 18' 21" E for a distance of 24.99 feet to a ½" iron rod set,
 N 66° 14' 27" E for a distance of 59.84 feet to a ½" iron rod set,
 S 88° 36' 27" E for a distance of 43.66 feet to a ½" iron rod set,
 S 27° 47' 00" E for a distance of 13.70 feet to a ½" iron rod set,
 S 06° 04' 11" E for a distance of 49.76 feet to a ½" iron rod set,
 N 87° 45' 30" E for a distance of 19.71 feet to a ½" iron rod set,
 N 56° 11' 23" E for a distance of 25.65 feet to a ½" iron rod set,
 N 82° 04' 51" E for a distance of 37.17 feet to a ½" iron rod set,
 N 27° 00' 07" E for a distance of 33.31 feet to a ½" iron rod set,
 N 62° 22' 27" E for a distance of 26.00 feet to a ½" iron rod set,

Traditions Golf & Country Club
 Bryan Commerce and Development, Inc.
 87.88 Acre - Tract Three
 Continued - Page 7

S 74° 00' 16" E	for a distance of 43.92 feet to a ½" iron rod set,
S 41° 39' 28" E	for a distance of 72.36 feet to a ½" iron rod set,
N 71° 35' 15" E	for a distance of 68.42 feet to a ½" iron rod set,
N 51° 49' 36" E	for a distance of 49.26 feet to a ½" iron rod set,
N 24° 33' 34" W	for a distance of 34.41 feet to a ½" iron rod set,
N 47° 34' 22" W	for a distance of 65.53 feet to a ½" iron rod set,
N 01° 20' 48" W	for a distance of 96.22 feet to a ½" iron rod set,
N 77° 04' 10" E	for a distance of 77.62 feet to a ½" iron rod set,
S 66° 54' 38" E	for a distance of 136.33 feet to a ½" iron rod set,
S 74° 31' 33" E	for a distance of 33.56 feet to a ½" iron rod set,
S 42° 25' 48" E	for a distance of 41.81 feet to a ½" iron rod set,
N 79° 31' 52" E	for a distance of 79.80 feet to a ½" iron rod set,
N 49° 50' 41" W	for a distance of 14.21 feet to a ½" iron rod set,
N 16° 15' 38" W	for a distance of 19.57 feet to a ½" iron rod set,
N 09° 03' 54" E	for a distance of 36.41 feet to a ½" iron rod set,
N 61° 44' 01" E	for a distance of 50.64 feet to a ½" iron rod set;


THENCE continuing through the interior of the beforementioned 298.51 acre tract, as follows:

N 34° 10' 19" E	for a distance of 176.92 feet to a ½" iron rod set,
N 59° 07' 57" E	for a distance of 435.69 feet to a ½" iron rod set,
N 70° 10' 47" E	for a distance of 56.55 feet to a ½" iron rod set for corner,
N 13° 45' 19" W	for a distance of 90.23 feet to the PLACE OF BEGINNING , containing 87.88 acres of land, more or less.

Bearings oriented to grid north based on Texas State Plane Coord. System (NAD-27 DATUM), central zone, convergence = 02° 01' 56". Distances are surface not grid. To convert from surface to grid apply 0.9998907 scale factor.



Surveyed August 2001

By: 
 S. M. Kling
 R.P.L.S. No. 2003

Prepared 8/16/01

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Traditions Golf & Country Club
 Bryan Commerce and Development, Inc.
 22.72 Acre - Tract Four
 J. H. Jones Survey, A-26
 Bryan, Brazos County, Texas

Field notes of a 22.72 acre tract or parcel of land, lying and being situated in the J. H. Jones Survey, Abstract No. 26, Bryan, Brazos County, Texas, and being part of the following tracts:

• 101.96 acre tract described in the deed from Turkey Creek Investments, Inc., to Bryan Commerce and Development, Inc. as recorded in Volume 3983, Page 54, of the Official Records of Brazos County, Texas;

• 298.51 acre tract described in the deed from Dexter T. Gabbard, et ux to Bryan Commerce and Development, Inc. as recorded in Volume 4006, Page 195, of the Official Records of Brazos County, Texas; and said 22.72 acre tract being more particularly described as follows:

COMMENCING at the ½" iron rod found marking the north corner of the Bryan Commerce and Development, Inc. - 26.72 acre tract, Volume 4267, Page 316, of the Official Records of Brazos County, Texas, same being the west corner of the called 49.9983 acre tract - Volume 1239, Page 109, of the Official Records of Brazos County, Texas, in the southeast right-of-way line of West Villa Maria Road, from which control monument #5, having coordinates of Northing (y) = 361,267.53' and Easting (x) = 3,240,023.14 and control monument #8, having coordinates of Northing (y) = 364,117.21 and Easting (x) = 3,244,757.70' (both are ½" iron rods found at aerial panel points - Texas State Plane Coord. System, Central Zone, NAD-27 Datum - U.S. Survey feet) are referenced as follows: control monument #5 bears S 08° 38' 56" E - 7462.35 feet, and control monument #8 bears S 52° 17' 34" E - 7402.88 feet;

THENCE S 24° 52' 13" W for a distance of 4403.77 feet to a ½" iron rod found at the **PLACE OF BEGINNING** of this description marking the west corner of the beforementioned 101.96 acre tract, same being the north corner of the Gainer B. Jones - 127.91 acre tract, Volume 1242, Page 430, of the Official Records of Brazos County, Texas;

THENCE N 41° 08' 05" E along the common line between the beforementioned 101.96 acre tract and the Curtis F. Lard, et ux - 34.21 acre tract, Volume 423, Page 063, of the Deed Records of Brazos County, Texas, adjacent to a fence, for a distance of 361.45 feet to a ½" iron rod set, from which a ½" iron rod found marking the north corner of the 101.96 acre tract bears N 41° 08' 05" E - 1109.38 feet;

THENCE through the interior of the beforementioned 101.96 acre tract and the beforementioned 298.51 acre tract and along lines which encompass Traditions Golf Course proposed golf holes #3A and #4A, as follows:

Traditions Golf & Country Club
 Bryan Commerce and Development, Inc.
 22.72 Acre - Tract Four
 Continued - Page 2

N 63° 43' 37" E for a distance of 785.52 feet to a ½" iron rod set in a curve, concave to the northeast, having a radius of 431.68 feet,
 Southeasterly along said curve for an arc length of 182.26 feet to a ½" iron rod set at the end of this curve, the chord bears S 67° 17' 11" E - 180.91 feet,
 S 79° 22' 42" E for a distance of 213.11 feet to a ½" iron rod set,
 N 88° 22' 44" E for a distance of 52.61 feet to a ½" iron rod set,
 S 01° 37' 16" E for a distance of 5.94 feet to a ½" iron rod set at the beginning of a curve, concave to the west, having a radius of 114.38 feet,
 Southerly along said curve for an arc length of 125.70 feet to a ½" iron rod set at the end of this curve, the chord bears S 19° 13' 44" E - 119.47 feet,
 S 12° 15' 23" W for a distance of 56.87 feet to a ½" iron rod set,
 S 40° 24' 22" E for a distance of 88.90 feet to a ½" iron rod set at the beginning of a curve, concave to the northeast, having a radius of 30.00 feet,
 Easterly along said curve for an arc length of 34.90 feet to a ½" iron rod set at the end of this curve, the chord bears S 73° 44' 00" E - 32.96 feet,
 N 72° 56' 23" E at a distance of 322.62 feet, cross the common line between the 101.96 acre tract and the 298.51 acre tract, continue on for a total distance of 422.67 feet to a ½" iron rod set in the westerly right-of-way line of the proposed University Ranch Drive, same being in a curve, concave to the southwest, having a radius of 255.00 feet, from which the west corner of the 19.04 acre Tract Five bears N 65° 03' 16" E - 100.25 feet,
 Southeasterly along said curve and along said westerly right-of-way of proposed University Ranch Drive for an arc length of 170.51 feet to a ½" iron rod set at the end of this curve, the chord bears S 30° 00' 35" E - 167.35 feet,
 S 83° 33' 08" W for a distance of 59.56 feet to a ½" iron rod set,
 S 59° 26' 30" W for a distance of 826.24 feet to a ½" iron rod set at the beginning of a curve, concave to the north, having a radius of 175.00 feet,
 Westerly along said curve for an arc length of 88.22 feet to a ½" iron rod set at the end of this curve, the chord bears S 73° 53' 03" W - 87.29 feet,
 S 88° 19' 36" W for a distance of 624.86 feet to a ½" iron rod set at the beginning of a curve, concave to the northeast, having a radius of 175.00 feet,

Traditions Golf & Country Club
Bryan Commerce and Development, Inc.
22.72 Acre - Tract Four
Continued - Page 3

Westerly along said curve for an arc length of 115.31 feet to a ½" iron rod set at the end of this curve, the chord bears N 72° 47' 49" W - 113.23 feet,
S 41° 21' 08" W for a distance of 115.06 feet to a ½" iron rod set in the southwest line of the 101.96 acre tract;

THENCE N 47° 54' 55" W along the southwest line of the beforementioned 101.96 acre tract, same being the northeast line of the beforementioned 127.91 acre tract for a distance of 420.74 feet to the **PLACE OF BEGINNING**, containing 22.72 acres of land, more or less.

Bearings oriented to grid north based on Texas State Plane Coord. System (NAD-27 DATUM), central zone, convergence = 02° 01' 56". Distances are surface not grid. To convert from surface to grid apply 0.9998907 scale factor.



Surveyed August 2001

By:

A handwritten signature in black ink, appearing to read "S. M. Kling", written over a horizontal line.

S. M. Kling
R.P.L.S. No. 2003

Prepared 8/16/01

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Traditions Golf & Country Club
Bryan Commerce and Development, Inc.
19.04 Acre - Tract Five
J. H. Jones Survey, A-26
Bryan, Brazos County, Texas

Field notes of a 19.04 acre tract or parcel of land, lying and being situated in the J. H. Jones Survey, Abstract No. 26, Bryan, Brazos County, Texas, and being part of the following tracts:

• 101.96 acre tract described in the deed from Turkey Creek Investments, Inc., to Bryan Commerce and Development, Inc. as recorded in Volume 3983, Page 54, of the Official Records of Brazos County, Texas;

• 298.51 acre tract described in the deed from Dexter T. Gabbard, et ux to Bryan Commerce and Development, Inc. as recorded in Volume 4006, Page 195, of the Official Records of Brazos County, Texas;

• 25.01 acre tract described in the deed from Billy J. Kling to Bryan Commerce and Development, Inc. as recorded in Volume 3989, Page 201, of the Official Records of Brazos County, Texas, and said 19.04 acre tract being more particularly described as follows:

COMMENCING at the ½" iron rod found marking the north corner of the Bryan Commerce and Development, Inc. - 26.72 acre tract, Volume 4267, Page 316, of the Official Records of Brazos County, Texas, same being the west corner of the called 49.9983 acre tract - Volume 1239, Page 109, of the Official Records of Brazos County, Texas, in the southeast right-of-way line of West Villa Maria Road, from which control monument #5, having coordinates of Northing (y) = 361,267.53' and Easting (x) = 3,240,023.14 and control monument #8, having coordinates of Northing (y) = 364,117.21 and Easting (x) = 3,244,757.70' (both are ½" iron rods found at aerial panel points - Texas State Plane Coord. System, Central Zone, NAD-27 Datum - U.S. Survey feet) are referenced as follows: control monument #5 bears S 08° 38' 56" E - 7462.35 feet, and control monument #8 bears S 52° 17' 34" E - 7402.88 feet;

THENCE S 02° 05' 52" E for a distance of 3570.44 feet to a ½" iron rod set at the **PLACE OF BEGINNING** of this description in the easterly right-of-way of the proposed University Ranch Drive, from which a ½" iron rod found marking the west corner of the beforementioned 298.51 acre tract bears N 56° 19' 46" W - 1199.25 feet, and a ½" iron rod set at the northeast corner of the 22.72 acre Tract Four bears S 65° 03' 16" W - 100.25 feet;

THENCE through the interior of the beforementioned 298.51 acre tract, the beforementioned 101.96 acre tract and the beforementioned 25.01 acre tract and along lines which encompass Traditions Golf Course proposed golf holes #1A and 2A, as follows:

Traditions Golf & Country Club
 Bryan Commerce and Development, Inc.
 19.04 Acre - Tract Five
 Continued - Page 2

N 43° 37' 10" E for a distance of 25.72 feet to a ½" iron rod set at the beginning of a curve, concave to the southeast, having a radius of 275.00 feet,

Northeasterly along said curve for an arc length of 89.91 feet to a ½" iron rod set at the end of this curve, the chord bears N 52° 59' 06" E - 89.51 feet,

N 62° 21' 03" E for a distance of 79.32 feet to a ½" iron rod set at the beginning of a curve, concave to the south, having a radius of 175.00 feet,

Easterly along said curve for an arc length of 168.32 feet to a ½" iron rod set at the end of this curve, the chord bears N 89° 54' 16" E - 161.90 feet,

S 62° 32' 31" E for a distance of 349.14 feet to a ½" iron rod set at the beginning of a curve, concave to the southwest, having a radius of 175.00 feet,

Southeasterly along said curve for an arc length of 186.73 feet to a ½" iron rod set at the end of this curve, the chord bears S 31° 58' 26" E - 178.00 feet,

S 01° 24' 21" E at a distance of 650.09 feet, pass a ⅝" iron rod found marking the west corner of the proposed 40.105 acre hotel and clubhouse tract, continue on at a distance of 713.06 feet, cross the common line between the 298.51 acre tract and the 101.96 acre tract, continue on for a total distance of 874.08 feet, to a ½" iron rod set at the beginning of a curve, concave to the northeast, having a radius of 29.00 feet,

Southeasterly along said 40.105 acre tract and along said curve for an arc length of 42.63 feet to a ½" iron rod set at the end of this curve, the chord bears S 43° 31' 14" E - 38.90 feet,

S 85° 38' 06" E along said 40.105 acre tract for a distance of 384.33 feet to a ½" iron rod set at the beginning of a curve, concave to the south, having a radius of 190.00 feet,

Easterly along said 40.105 acre tract and along said curve for an arc length of 82.03 feet to a ½" iron rod set at the end of this curve, the chord bears S 73° 15' 59" E - 81.40 feet,

S 60° 53' 51" E along said 40.105 acre tract for a distance of 840.77 feet to a ½" iron rod set,

Traditions Golf & Country Club
 Bryan Commerce and Development, Inc.
 19.04 Acre - Tract Five
 Continued - Page 3

S 69° 09' 13" E along said 40.105 acre tract and for a distance of 63.85 feet to a ½" iron rod set in the west right-of-way line of proposed Traditions Drive, from which a ½" iron rod set at the northwest corner of the Club Corp proposed - 35.07 acre Tract Six bears S 69° 09' 13" E - 80.01 feet,

S 21° 44' 46" W along the west right-of-way line of the proposed Traditions Drive for a distance of 142.86 feet to a ½" iron rod set, from which a ¾" iron rod found marking the south corner of the 298.51 acre tract in the northeast line of the 25.01 acre tract bears S 40° 59' 35" W - 222.44 feet,

N 74° 24' 26" W at a distance of 508.10 feet, cross the common line between the 298.51 acre tract and the 25.01 acre tract, continue on for a total distance of 875.50 feet to a ½" iron rod set at the beginning of a curve, concave to the south, having a radius of 175.00 feet,

Westerly along said curve for an arc length of 34.28 feet to a ½" iron rod set at the end of this curve, the chord bears N 80° 01' 10" W - 34.23 feet,

N 85° 37' 55" W for a distance of 409.61 feet to a ½" iron rod set at the beginning of a curve, concave to the northeast, having a radius of 175.00 feet,

Northerly along said curve for an arc length of 394.19 feet to a ½" iron rod set at the end of this curve, (the chord bears N 21° 06' 09" W - 315.98 feet), same being the beginning of a curve, concave to the west, having a radius of 90.00 feet,

Northerly along said curve for an arc length of 91.23 feet to a ½" iron rod set at the end of this curve, the chord bears N 14° 23' 17" E - 87.37 feet,

N 14° 39' 02" W for a distance of 688.48 feet to a ½" iron rod set at the beginning of a curve, concave to the southwest, having a radius of 175.00 feet,

Northwesterly along said curve for an arc length of 146.28 feet to a ½" iron rod set at the end of this curve, the chord bears N 38° 35' 46" W - 142.05 feet,

N 62° 32' 30" W for a distance of 207.17 feet to a ½" iron rod set,

S 82° 51' 36" W for a distance of 53.16 feet to a ½" iron rod set in the east right-of-way line of the proposed University Ranch Drive, same being in a curve, concave to the southwest, having a radius of 377.00 feet,

Traditions Golf & Country Club
Bryan Commerce and Development, Inc.
19.04 Acre - Tract Five
Continued - Page 4

Northwesterly along said curve, along the east right-of-way line of the proposed University Ranch Drive for an arc length of 230.06 feet to the **PLACE OF BEGINNING**, (the chord bears N 26° 02' 04" W - 226.51 feet) containing 19.04 acres of land, more or less.

Bearings oriented to grid north based on Texas State Plane Coord. System (NAD-27 DATUM), central zone, convergence = 02° 01' 56". Distances are surface not grid. To convert from surface to grid apply 0.9998907 scale factor.



Surveyed August 2001

By:

A handwritten signature in black ink, appearing to read "S. M. Kling", written over a horizontal line.

S. M. Kling
R.P.L.S. No. 2003

Prepared 8/17/01

Revised 10/3/01
updated Tract Six acreage

kes01-03a:\traditionstractfive19.04ac.wpd

Traditions Golf & Country Club
Bryan Commerce and Development, Inc.
51.87 Acre - Tract Six
J. H. Jones Survey, A-26
Bryan, Brazos County, Texas

Field notes of an 53.43 acre tract or parcel of land, (save and except 1.56 acre Jones-Cashion Production Site), lying and being situated in the J. H. Jones Survey, Abstract No. 26, Bryan, Brazos County, Texas, and being part of the following tracts:

●25.01 acre tract described in the deed from Billy J. Kling to Bryan Commerce and Development, Inc. as recorded in Volume 3989, Page 201, of the Official Records of Brazos County, Texas;

●87.20 acre Tract 1 described in the deed from Cashion Family Limited Partnership to Bryan Commerce and Development, Inc. as recorded in Volume 4023, Page 71, of the Official Records of Brazos County, Texas;

●324.83 acre tract described in the deed from Cashion Family Limited Partnership to Bryan Commerce and Development, Inc. recorded in Volume 4023, Page 91, of the Official Records of Brazos County, Texas, and said 51.87 acre tract (less 1.56 acres) being more particularly described as follows:

COMMENCING at the $\frac{1}{2}$ " iron rod found marking the north corner of the Bryan Commerce and Development, Inc. - 26.72 acre tract, Volume 4267, Page 316, of the Official Records of Brazos County, Texas, same being the west corner of the called 49.9983 acre tract - Volume 1239, Page 109, of the Official Records of Brazos County, Texas, in the southeast right-of-way line of West Villa Maria Road, from which control monument #5, having coordinates of Northing (y) = 361,267.53' and Easting (x) = 3,240,023.14 and control monument #8, having coordinates of Northing (y) = 364,117.21 and Easting (x) = 3,244,757.70' (both are $\frac{1}{2}$ " iron rods found at aerial panel points - Texas State Plane Coord. System, Central Zone, NAD-27 Datum - U.S. Survey feet) are referenced as follows: control monument #5 bears S 08° 38' 56" E - 7462.35 feet, and control monument #8 bears S 52° 17' 34" E - 7402.88 feet;

THENCE S 23° 18' 49" E for a distance of 5646.29 feet to a $\frac{1}{2}$ " iron rod set at the **PLACE OF BEGINNING** of this description at the east corner of Traditions Drive - 80' right-of-way (end of the initial Traditions Drive right-of-way dedication) as described in the right-of-way deed to the City of Bryan, recorded in Volume 4787, Page 167, of the Official Records of Brazos County, Texas, from which a $\frac{3}{4}$ " iron pipe found marking the most northerly west corner of the beforementioned 87.20 acre tract bears S 45° 09' 27" W - 385.89 feet, and a $\frac{1}{2}$ " iron rod set at the east corner of the 19.04 acre Tract Five bears N 69° 09' 13" W - 80.01 feet;

THENCE along the common line between the herein described Tract 6 (lying to the south) and Tract 7 - 15.40 Acre Tract / Hotel Tract - 27.80 Acres (lying to the north) as follows:

Traditions Golf & Country Club
Bryan Commerce and Development, Inc.
51.87 Acre - Tract Six
J. H. Jones Survey, A-26
Bryan, Brazos County, Texas
Continued - Page 2

S 69° 09' 13" E for a distance of 20.42 feet to a ½" iron rod set for corner,
N 41° 48' 36" E for a distance of 40.97 feet to a ½" iron rod set at the beginning of a curve, concave to the south, having a radius of 125.00 feet,
Northeasterly along said curve for an arc length of 105.13 feet to a ½" iron rod set at the end of this curve, the chord bears N 65° 54' 13" E - 102.06 feet,
N 89° 59' 50" E for a distance of 338.45 feet to a ½" iron rod set at the beginning of a curve, concave to the northwest, having a radius of 97.00 feet,
Northeasterly along said curve for an arc length of 88.11 feet to a ½" iron rod set at the end of this curve, (the chord bears N 63° 58' 34" E - 85.11 feet), same being the beginning of a curve, concave to the south, having a radius of 176.00 feet,
Northeasterly along said curve at an arc length of 161.36 feet pass the common corner between Tract Seven and the Hotel Tract, continue on for a total arc length of 319.67 feet to a ½" iron rod set at the end of this curve, the chord bears N 89° 59' 18" E - 277.51 feet,
S 37° 58' 42" E at a distance of 341.83 feet pass the common line between the beforementioned 87.20 acre tract and the 324.83 acre tract, continue on for a total distance of 437.10 feet to a ½" iron rod set at the beginning of a curve, concave to the southwest having a radius of 150.00 feet;

THENCE through and across the beforementioned 25.01 acre tract, the 87.20 acre tract and the 324.83 acre tract, as follows:

Southerly along said curve for an arc length of 137.93 feet to a ½" iron rod set in the driveway at the Cashion homeplace, the chord bears S 11° 38' 08" E - 133.12 feet,
S 14° 42' 17" W for a distance of 275.08 feet to a ½" iron rod set in the common line between the said 324.83 acre tract and the 87.20 acre tract,
S 03° 35' 54" E for a distance of 924.54 feet to a ½" iron rod set at the beginning of a curve, concave to the west, having a radius of 200.00 feet,

Traditions Golf & Country Club
Bryan Commerce and Development, Inc.
51.87 Acre - Tract Six
J. H. Jones Survey, A-26
Bryan, Brazos County, Texas
Continued - Page 3

Southerly along said curve for an arc length of 263.88 feet to a ½" iron rod set at the end of this curve, the chord bears S 34° 12' 01" W - 245.16 feet,
S 71° 59' 56" W for a distance of 369.50 feet to a ½" iron rod set at the beginning of a curve, concave to the southeast, having a radius of 100.00 feet,
Southwesterly along said curve for an arc length of 71.88 feet to a ½" iron rod set at the end of this curve, the chord bears S 51° 24' 27" W - 70.34 feet,
S 30° 48' 57" W for a distance of 160.13 feet to a ½" iron rod set in the proposed northeast right-of-way line of University Ranch Drive - 100' right-of-way;

THENCE N 51° 09' 33" W along the proposed northeast right-of-way line for a distance of 144.15 feet to a ½" iron rod found marking the end (terminus) of University Ranch Drive - 100' right-of-way, as described in the beforementioned right-of-way deed (4787/167) and the beginning of a curve, concave to the northeast, having a radius of 1945.00 feet;

THENCE along the northeast right-of-way line of University Ranch Drive and the southeast right-of-way line of Traditions Drive, as described in Volume 4787, Page 167, of the Official Records of Brazos County, Texas, as follows:

Northwesterly along said curve for an arc distance of 601.01 feet to a ½" iron rod found marking the end of this curve, the chord bears N 42° 18' 25" W - 598.63 feet,
N 33° 27' 16" W for a distance of 269.92 feet to a ½" iron rod found marking the beginning of a curve, concave to the southwest, having a radius of 555.00 feet,
Northwesterly along said curve for an arc length of 140.55 feet to a ½" iron rod set at the end of this curve, the chord bears N 40° 42' 34" W - 140.17 feet,
N 47° 57' 51" W for a distance of 165.23 feet to a ½" iron rod set, along a transition line from the proposed University Ranch Drive to the proposed Traditions Drive for a distance of 14.96 feet to a ½" iron rod set in the southeast right-of-way line of the proposed Traditions Drive,
N 02° 32' 33" W
N 42° 52' 44" E for a distance of 51.21 feet to a ½" iron rod set at the beginning of a curve, concave to the northwest, having a radius of 550.00 feet,

Traditions Golf & Country Club
Bryan Commerce and Development, Inc.
51.87 Acre - Tract Six
J. H. Jones Survey, A-26
Bryan, Brazos County, Texas
Continued - Page 4

Northeasterly along said curve for an arc length of 272.66 feet to a ½" iron rod set at the end of this curve, the chord bears N 28° 40' 36" E - 269.88 feet,
N 14° 28' 29" E for a distance of 679.15 feet to a ½" iron rod set,
N 21° 44' 49" E for a distance of 148.21 feet to the to the **PLACE OF BEGINNING**, containing 53.43 acres of land, Save and Except the following described 1.56 acre Jones-Cashion Production Site leaving a net acreage for Tract Six of 51.87 acres of land, more or less:

SAVE & EXCEPT

Production Site Tract
1.56 Acres

J. H. Jones Survey, A-26
Brazos County, Texas

Field notes of a 1.56 acre tract or parcel of land, lying and being situated in the J. H. Jones Survey, Abstract No. 26, Brazos County, Texas, and being part of the called 218.04 acre (net) tract described in the deed to Ethyl Walton Burgess Family Limited Partnership as recorded in Volume 2754, Page 78, of the Official Records of Brazos County, Texas, and part of the called 188.00 acre (net) tract described in the deed to Ethyl Walton Burgess Family Limited Partnership, as recorded in Volume 3481, Page 81, of the Official Records of Brazos County, Texas, and said 1.56 acre tract being more particularly described as follows:

COMMENCING at the ½" iron rod set at a 6" creosote post fence corner marking the west corner of the beforementioned 218.04 acre tract;

THENCE S 47° 18' 00" E along the southwest line of the beforementioned 218.04 acre tract, same being the northeast line of the W. T. Jr., & Caroline S. McDonald - 70.89 acre tract (net) described in the deed recorded in Volume 309, Page 472, of the Deed Records of Brazos County, Texas, adjacent to a fence, for a distance of 1667.41 feet to the **PLACE OF BEGINNING** of this easement in the center of an existing well access road (12' wide gravel travelway), from which an 8" creosote post fence corner marking the most westerly south corner of the 218.04 acre tract bears S 47° 18' 00" E - 1965.6 feet;

THENCE along the existing centerline travelway of the beforementioned well access road and through the interior of the beforementioned 218.04 acre tract, as follows:

N 27° 07' 17" E for a distance of 47.41 feet,
N 13° 05' 31" E for a distance of 82.36 feet,

Traditions Golf & Country Club
Bryan Commerce and Development, Inc.
51.87 Acre - Tract Six
J. H. Jones Survey, A-26
Bryan, Brazos County, Texas
Continued - Page 5

N 00° 51' 02" E	for a distance of 128.62 feet,
N 02° 22' 59" W	for a distance of 249.19 feet,
N 00° 50' 41" E	for a distance of 182.69 feet,
N 01° 33' 23" W	for a distance of 171.65 feet,
N 05° 17' 03" W	for a distance of 423.64 feet,
N 00° 12' 44" E	for a distance of 132.97 feet,
N 12° 22' 54" E	for a distance of 124.65 feet to the PLACE OF BEGINNING of this description in the south fenced line of a 1.56 acre production site surrounding the Jones-Cashion Unit Well No. 1;

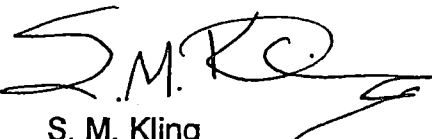
THENCE along the existing fence lines enclosing said production facility as follows:

N 71° 54' 03" W	for a distance of 145.27 feet to a 6" creosote post fence corner,
N 17° 55' 13" E	for a distance of 329.98 feet to a 4" creosote post fence corner,
S 75° 03' 10" E	for a distance of 200.65 feet to a 4" creosote post fence corner,
S 17° 14' 41" W	for a distance of 341.05 feet to a 6" creosote post fence corner,
N 71° 54' 03" W	for a distance of 59.13 feet to the PLACE OF BEGINNING , containing 1.56 acres of land, more or less, leaving a net acreage for Tract Six of 51.87 acres of land, more or less.

Bearings oriented to grid north based on Texas State Plane Coord. System (NAD-27 DATUM), central zone, convergence = 02° 01' 56". Distances are surface not grid. To convert from surface to grid apply 0.9998907 scale factor.



Surveyed January 2003

By: 
S. M. Kling
R.P.L.S. No. 2003

Prepared 01/23/03
Revised 02/20/03 added save & except
1.56 acre production site
Revised 02/28/03 changed acreage in title
Revised 03/05/03 changed acreage
kes03-01a:Traditionstractsix51.87ac.wpd

EXHIBIT "A"

Billy J. Kling
25.01 Acre Tract
J. H. Jones Survey, A-26
Brazos County, Texas

Field notes of a 25.01 acre tract or parcel of land, lying and being situated in the J. H. Jones Survey, Abstract No. 26, Brazos County, Texas, and being all of the called 25.10 acre tract described in the deed from the Veteran's Land Board of the State of Texas, to Billy J. Kling, as recorded in Volume 1490, Page 201, of the Official Records of Brazos County, Texas, and said 25.01 acre tract being more particularly described as follows:

BEGINNING at the $\frac{3}{4}$ " iron pipe found marking the angle point corner in the northeast line of the beforementioned 25.10 acre tract, same being the south corner of the Gabbard Estate - 298.51 acre tract described in Volume 1052, Page 172, of the Official Records of Brazos County, Texas, and same being the west corner of the Burgess/Cashion - called 188.00 acre (net) tract described in the deed recorded in Volume 3481, Page 81, from which a 6" creosote post fence corner bears S 59° 04' 53" E - 7.4 feet;

THENCE S 39° 14' 37" E along the common line between the beforementioned 25.10 acre tract and the beforementioned 188.00 acre tract, adjacent to a fence, for a distance of 609.38 feet to a $\frac{1}{2}$ " iron rod set at the east corner of the 25.10 acre tract, same being the interior ell corner of the 188.00 acre tract, from which a $\frac{3}{4}$ " iron rod found bears S 65° 12' 28" W - 1.05 feet, and a 24" post oak tree fence corner bears N 35° 29' 20" W - 5.3 feet;

THENCE S 42° 34' 05" W along the southeast line of the beforementioned 25.10 acre tract, same being the southerly northwest line of the beforementioned 188.00 acre tract and the Burgess & Cashion - called 218.04 acre (net) tract described in the deed recorded in Volume 2754, Page 78, of the Official Records of Brazos County, Texas, adjacent to and approximately 5 feet southeast of a fence, for a distance of 707.86 feet to a $\frac{1}{2}$ " iron rod found marking the south corner of the 25.10 acre tract, same being the east corner of a 50' wide access easement described in Volume 248, Page 603, of the Deed Records of Brazos County, Texas, which provides access to Farm to Market Road No. 60, (now State Hwy No. 47);

THENCE N 47° 57' 51" W along the southwest line of the beforementioned 25.10 acre tract and along the northeast line of the beforementioned 50' wide access easement, at a distance of 49.4 feet, pass a $\frac{1}{2}$ " iron rod found marking the occupied east corner of the Susan Galindo - called 12.50 acre tract described in Volume 3464, Page 168, of the Official Records of Brazos County, Texas, continue on, at a distance of 50 feet, pass the north corner of said 50' wide access easement, continue on, along the common line between the 25.10 acre tract and the 12.50 acre tract for a total distance of 1389.42 feet to a $\frac{3}{4}$ " iron rod found marking the west corner of the 25.10 acre tract and the north corner of the 12.50 acre tract in the southeast line of Turkey Creek Investments, Inc., - called 102.32 acre tract described in Volume 1090, Page 462, of the Official Records of Brazos County, Texas, from which a $\frac{1}{2}$ " iron rod found in concrete bears S 41° 08' 05" W - 1644.74 feet;

THENCE N 41° 08' 05" E along the common line between the beforementioned 102.32 acre tract and the beforementioned 25.10 acre tract for a distance of 793.53 feet to a $\frac{3}{4}$ " iron rod found in fence line marking the occupied north corner of the 25.10 acre tract and the east corner of the 102.32 acre tract in the southwest line of the beforementioned Gabbard - 298.51 acre tract, from which a $\frac{1}{2}$ " iron rod found bears N 48° 46' 04" E - 10.41 feet;

EXHIBIT "A"

KLING ENGINEERING AND SURVEYING
BRYAN, TEXAS

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EXHIBIT "A"

Billy J. Kling
25.01 Acre Tract
J. H. Jones Survey, A-26
Brazos County, Texas
Continued - Page 2

THENCE S 48° 26' 46" E along the occupied northeast line of the beforementioned 25.10 acre tract, same being the southwest line of the beforementioned 298.51 acre tract, adjacent to a fence, for a distance of 806.17 feet to the PLACE OF BEGINNING, containing 25.01 acres of land, more or less.

Bearings oriented to grid north based on Texas State Plane Coord. System (NAD-27 DATUM), central zone, convergence = 02° 01' 56". Distances are surface not grid. To convert from surface to grid apply 0.9998907 scale factor.



kes00-01b:klngbj.25a

Surveyed June 2000

By:

A handwritten signature of S.M. Kling in black ink.

S. M. Kling
R.P.L.S. No. 2003

EXHIBIT "A"

SCHEDULE 2

Traditions Golf and Country Club
87.20 Acre Tract
J.H. Jones Survey, A-26
Brazos County, Texas

Field notes of a 87.20 acre tract or parcel of land, lying and being situated in the J. H. Jones Survey, Abstract No. 26, College Station and Brazos County, Texas, and said 87.20 acre tract consisting of the following tracts:

Part of the called 218.04 acre (net) tract (excluding 0.2 acre in F.M. No. 2513), described in the deed from Ethyl Walton Burgess to Ethyl Walton Burgess Family Limited Partnership as recorded in Volume 2754, Page 78, of the Official Records of Brazos County, Texas;

And Part of the called 188.00 acre (net) tract described in the deed from Lou Burgess Cashion to Ethyl Walton Burgess Family Limited Partnership as recorded in Volume 3481, Page 81, of the Official Records of Brazos County, Texas;

And said 87.20 acre tract being more particularly described as follows:

BEGINNING at the $\frac{1}{2}$ " iron rod found at a 6" creosote post fence corner marking the north corner of the beforementioned 188.00 acre tract, same being the west corner of the Gloria Stephen Sale - called 73.428 acre - Tract One described in the deed recorded in Volume 3357, Page 50, of the Official Records of Brazos County, Texas, same being in the southeast line of the Gabbard - 298.51 acre tract described in the deed recorded in Volume 1052, Page 172, of the Official Records of Brazos County, Texas;

THENCE through the interior of the beforementioned 188.00 acre tract, as follows:

S 00° 50' 13" E	for a distance of 1342.07 feet to a $\frac{1}{2}$ " iron rod set;
S 42° 42' 09" W	for a distance of 912.35 feet to a $\frac{1}{2}$ " iron rod set,
S 47° 17' 51" E	along the southwest line of the 12.00 acre tract for a distance of 376.90 feet to the center of an existing 10' wide asphalt road;

THENCE along the center of said asphalt road, as follows:

S 17° 38' 36" E	for a distance of 91.35 feet,
S 20° 18' 11" E	for a distance of 106.50 feet,
S 25° 40' 35" E	for a distance of 151.82 feet,
S 27° 53' 07" E	for a distance of 157.46 feet,
S 44° 53' 02" E	for a distance of 47.46 feet,
S 63° 12' 18" E	for a distance of 47.47 feet,
S 77° 02' 29" E	for a distance of 39.77 feet;

THENCE continuing through the interior of the beforementioned 188.00 acre tract and the beforementioned 218.04 acre tract, as follows:

S 27° 19' 33" W	for a distance of 1250.36 feet to a $\frac{1}{2}$ " iron rod set;
N 62° 40' 27" W	for a distance of 853.47 feet to a $\frac{1}{2}$ " iron rod set,
N 47° 25' 55" W	for a distance of 767.47 feet to a $\frac{1}{2}$ " iron rod set in the southerly northwest line of the 218.04 acre tract,
N 42° 34' 05" E	along the northwest line of said 218.04 acre tract, for a distance of 885.69 feet to a $\frac{1}{2}$ " iron rod set at the interior ell corner of the 188.00 acre tract, same being the east corner of the 25.10 acre tract described in the deed Recorded in Volume 248, Page 603 of the Deed Records of Brazos, County, Texas, from which a $\frac{3}{8}$ " iron rod found bears S 65° 12' 28" W - 1.05 feet, and a 24" post oak tree fence corner bears N 35° 29' 20" W - 5.3 feet;

SCHEDULE 2

Traditions Golf and Country Club
87.20 Acre Tract
J.H. Jones Survey, A-26
Brazos County, Texas
Continued - Page 2

THENCE N 39° 14' 37" W along the common line between the beforementioned 188.00 acre tract and the beforementioned 25.10 acre tract adjacent to a fence, for a distance of 609.38 feet to a 3/4" iron pipe found marking the angle point corner of the 25.10 acre tract, same being the south corner of the beforementioned Gabbard - 298.51 acre tract, from which a 6" creosote post fence corner bears S 59° 04' 53" E - 7.4 feet;


THENCE along the common line between the beforementioned 188.00 acre tract and the beforementioned 298.51 acre tract, along the average fence line marking same, as follows:

N 43° 16' 46" E	for a distance 700.08 feet to a 24" post oak tree,
N 40° 31' 40" E	for a distance 694.61 feet to a 12" red oak tree,
N 43° 36' 19" E	for a distance of 412.07 feet to an 18" post oak tree,
N 40° 17' 48" E	for a distance of 234.54 feet to a 6" fence post,
N 41° 59' 15" E	for a distance of 478.47 feet to the PLACE OF BEGINNING , containing 87.20 acres of land, more or less.

Bearings oriented to grid north based on Texas State Plane Coord. System (NAD-27 DATUM), central zone, convergence = 02° 01' 56". Distances are surface not grid. To convert from surface to grid apply 0.9998907 scale factor.



Surveyed December 2000

By: 
S.M. Kling
R.P.L.S. No. 2003

Revised 01/02/01
modified tract perimeter

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BILL & RETURN TO:

LAWYERS TITLE CO.

GF# 520559B SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

DATE: January 5, 2001

GRANTOR: CASHION FAMILY LIMITED PARTNERSHIP, MASON LEE CASHION
a/k/a MASON LEE CASHION, JR., THE ESTATE OF LOU BURGESS
CASHION, THE LOU BURGESS CASHION FAMILY TRUST, THE LOU
BURGESS CASHION MARITAL TRUST, THE LOU BURGESS
CASHION EXEMPT MARITAL TRUST and THE ETHYL WALTON
BURGESS FAMILY TRUST (herein the "Trust")

Grantor's Mailing Address (including county):

M. L. Cashion
P.O. Box 3889
Bryan, Brazos County, Texas 77805

Cashion Family Limited Partnership
c/o Shelley J. Cashion
Post Office Box 580089
Houston, Harris County, Texas 77258-0039

The Estate of Lou Burgess Cashion
c/o M.L. Cashion
P.O. Box 3889
Bryan, Brazos County, Texas 77805

The Lou Burgess Cashion Family Trust
c/o Shelley J. Cashion
Post Office Box 580089
Houston, Harris County, Texas 77258-0039

The Lou Burgess Cashion Marital Trust
c/o Shelley J. Cashion
Post Office Box 580089
Houston, Harris County, Texas 77258-0039

The Lou Burgess Cashion Exempt Marital Trust
c/o Shelley J. Cashion
Post Office Box 580089
Houston, Harris County, Texas 77258-0039

Ethyl Walton Burgess Family Trust
c/o Shelley J. Cashion
Post Office Box 580089
Houston, Harris County, Texas 77258-0039

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GRANTEE: BRYAN COMMERCE AND DEVELOPMENT, INCORPORATED,
a Texas local government corporation

Grantee's Mailing Address (including county):

Post Office Box 1000
Bryan, Brazos County, Texas 77803

Consideration:

Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and the further consideration of the execution and delivery by Grantee of that one certain promissory note of even date herewith in the original principal sum of THREE MILLION AND NO/100 DOLLARS (\$3,000,000.00), payable to the order of Grantors herein, in annual installments and bearing interest as therein provided, containing the usual clauses providing for acceleration of maturity and for attorney's fees (herein the "Note"). The Note is secured by a vendor's lien retained in favor of Grantor herein, in this Deed and a deed of trust of even date from Grantee to Jay Don Watson, Trustee.

Property:

TRACT 1:

That certain 417.85 acre tract or parcel of land, lying and being situated in the J. H. JONES SURVEY, Abstract No. 26, Brazos County, Texas, and being more particularly described by metes and bounds on Exhibit "A" attached hereto and incorporated herein for all purposes.

SAVE & EXCEPT:

That certain 87.20 acre tract or parcel of land, lying and being situated in the J. H. JONES SURVEY, Abstract No. 26, College Station, Brazos County, Texas, being more particularly described by metes and bounds on Exhibit "B" attached hereto and incorporated herein for all purposes.

SAVE & EXCEPT:

That certain 2.81 acre tract or parcel of land and its appurtenant thirty-five foot (35') wide access easement, lying and being situated in the J.H. JONES SURVEY, ABSTRACT NO. 26, Brazos County, Texas, being more particularly described by metes and bounds on Exhibit "C" attached hereto and incorporated herein for all purposes.

SAVE & EXCEPT:

That certain 2.89 acre tract or parcel of land and its appurtenant thirty-five foot (35') wide access easement, lying and being situated in the J.H. JONES SURVEY, ABSTRACT

NO. 26, Brazos County, Texas, being more particularly described by metes and bounds on Exhibit "D" attached hereto and incorporated herein for all purposes.

SAVE & EXCEPT:

Those certain 0.37 acre and 0.90 acre tracts or parcels of land, lying and being situated in the J.H. JONES SURVEY, ABSTRACT NO. 26, College Station, Brazos County, Texas, being more particularly described by metes and bounds on Exhibit "E" attached hereto and incorporated herein for all purposes.

TRACT 2:

Further Save and Except and Grantor does hereby reserve and retain the fee simple title in all that certain 0.12 acre tract or parcel of land, lying and being situated in the J.H. JONES SURVEY, ABSTRACT NO. 26, College Station, Brazos County, Texas, being more particularly described by metes and bounds on Exhibit "F" attached hereto and incorporated herein for all purposes, for a "Term of Years" as defined below and does grant, sell and convey to Grantee, its successors and assigns the remainder interest.

Term of Years shall mean the lease term of (i) that certain lease by and between Grantor herein and SprintCom, Inc. recorded in Volume 3498, Page 300, Official Records of Brazos County, Texas; (ii) any written extension of such lease, or (iii) any new lease entered into for the sole purpose of providing a radio telecommunications tower site, but only in the event such lease is executed in writing within ninety (90) days of the expiration of the then existing lease, whether such existing lease is the original lease, an extension of the same or a new lease entered into in the 90-day time frame set forth above. In any and all events the Term of Years shall terminate on December 31, 2075, if not sooner terminated.

The definition of Property hereunder shall exclude the following described improvements: (i) the house, garage, well house, pool, pool house, greenhouse and fencing and all appurtenant improvements, commonly known as the M.L. Cashion homesite, (ii) any barns, pens, chutes, feeders or other structures useful for and in the care and maintenance of livestock; (iii) any sheds or other structures used for the storage of farm and ranching equipment; and (iv) any interior fencing including but not limited to posts, stays, wire, gates and cattleguards, all of in which Grantor herein is specifically retaining and reserving title to.

MINERAL RESERVATION:

Trust, Grantor and Trust's and Grantor's heirs, successors, and assigns forever, hereby reserves all oil, gas, and other related minerals in and under and that may be produced from the Property. If the mineral estate is subject to existing production or an existing lease, this reservation includes the production, the lease, and all benefits from it other than use of the surface of the Property, except as hereinafter provided with respect to Access Routes and Drill Sites and all water. Trust and Grantor waive and convey to

Grantee the right of ingress and egress to and from the surface of the Property relating to the portion of the mineral estate owned by Grantor except as to the Access Routes and Drill Sites described in the following paragraph. Nothing herein, however, restricts or prohibits the pooling or unitization of the portion of the mineral estate owned by Grantor and/or Trust with land other than the Property; or the exploration or production of the oil, gas, and other related minerals by means of wells that are drilled or mines that open on land other than the Property but enter or bottom under the Property, provided that these operations in no manner interfere with the surface, water or subsurface support of any improvements constructed or to be constructed on the Property.

Further Trust, Grantor and Trust's and Grantor's heirs, successors, and assigns, hereby reserves non-exclusive easements in and to the free and uninterrupted use of the drill sites on the Property ("Drill Sites") pursuant to the easement granted by Grantee of even date herewith to explore and produce the oil, gas, and other related minerals in and under and that may be produced from the Property, together with access to and from the Drill Sites over the access routes on the Property ("Access Routes"). Grantee may, at Grantee's sole discretion, at any time and from time to time, re-route or re-locate the Drill Sites or Access Routes which are not then in use for mineral development, provided that neither Grantor nor Trust shall bear any cost with respect to such re-location nor be denied access to the Drill Sites for a period of time in excess of five (5) consecutive days during any re-routing or re-location of the Access Routes by Grantee. Provided further that the relocation of the Drill Sites shall be at locations that would not prevent the Trust or Grantor or their Lessees from fully exploring the Property for oil, gas and other minerals. Grantor and Trust waive the right to explore and develop from the surface of the Property the portion of the mineral estate owned by Grantor and/or Trust, other than on or from the Drill Sites and the use of the Access Routes to access the Drill Sites and to transport production therefrom including pipelines.

The Tract 1 portion of the Property shall be bound by the following restrictions:

Tract 1 of the Property shall be and is hereby restricted to use as a golf course/residential community project and all the infrastructure and appurtenances necessary for the development of the Property for such use. This restriction shall expire and be no longer enforceable against the Property at such time as the Note is paid in full and upon the recording in the Official Records of Brazos County of a release of lien for that certain Deed of Trust dated of even date herewith securing payment of the Note. In the event Grantor forecloses its lien or liens securing payment of the Note, the restriction on any portion of the Property previously conveyed to Grantee shall remain restricted; however, any land foreclosed upon by Grantor shall no longer be restricted.

To the extent that the same are presently valid and subsisting against the Property, this conveyance and the representations and warranties contained herein is also made subject

to and the rights contained therein, but not in assumption of, the following:

- (1) Easement executed by H. E. Burgess, et ux to the City of Bryan, dated February 9, 1950, recorded in Volume 141, Page 517, Deed Records of Brazos County, Texas.
- (2) Easement executed by M. L. Cashion, et ux to the City of Bryan, dated October 5, 1960, recorded in Volume 208, Page 469, Deed Records of Brazos County, Texas.
- (3) Easement executed by M. L. Cashion, et ux to the City of Bryan, dated October 5, 1960, recorded in Volume 208, Page 472, Deed Records of Brazos County, Texas.
- (4) Easement executed by M. L. Cashion, et ux to the City of Bryan, dated April 21, 1977, recorded in Volume 460, Page 411, Deed Records of Brazos County, Texas.
- (5) Easement executed by M. L. Cashion to Brushy Water Supply Corporation, dated April 4, 1979, recorded in Volume 556, Page 205, Deed Records of Brazos County, Texas.
- (6) Easement executed by Ethyl W. Burgess to Mason Lee Cashion, Jr. and wife, Ethyl burgess Cashion, effective November 1, 1987, recorded in Volume 1184, Page 434, Official Records of Brazos County, Texas.
- (7) Easement executed by Mason Lee Cashion to GTE Southwest Incorporated, dated August 18, 1992, recorded in Volume 1635, Page 159, Deed Records of Brazos County, Texas.
- (8) Easement executed by Mason Lee Cashion and wife, Ethyl Burgess Cashion to GTE Southwest Incorporated, dated August 18, 1992, recorded in Volume 1635, Page 161, Official Records of Brazos County, Texas.
- (9) Easement executed by Ethyl Burgess to Ferguson Burleson County Gas Gathering System, dated January 29, 1994, recorded in Volume 2204, Page 162, Official Records of Brazos County, Texas.
- (10) Easement executed by Ethyl Burgess to Ferguson Burleson County Gas Gathering System, dated October 6, 1994, recorded in Volume 2394, Page 240, Official Records of Brazos County, Texas.

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- (11) Easement executed by Ethyl W. Burgess to the City of Bryan, dated February 19, 1996, recorded in Volume 2894, Page 342, Official Records of Brazos County, Texas.
- (12) Easement executed by Ethyl Walton Burgess Family Limited Partnership to City of College Station, Texas, dated August 3, 1999, recorded in Volume 3572, Page 194, Official Records of Brazos County, Texas.
- (13) PCS Site Agreement by and between SprintCom, Inc. and Ethyl Walton Burgess Family Limited Partnership, dated October 13, 1997, recorded in Volume 3498, Page 300, Official Records of Brazos County, Texas.
- (14) Memorandum of Lease executed by SBA Towers, Inc., a Florida corporation, to Nextel WIP Lease Corp., a Delaware corporation d/b/a Nextel Partners, dated December 20, 1999, recorded in Volume 3739, Page 89, Official Records of Brazos County, Texas.
- (15) Mineral Deed executed by Ethyl Walton Burgess to Lou Burgess Cashion, Trustee of the Ethyl Walton Burgess Family Trust, dated December 30, 1994, recorded in Volume 2271, Page 162, Official Records of Brazos County, Texas.
- (16) Mineral Deed executed by Ethyl Walton Burgess to Lou Burgess Cashion, Trustee of the Ethyl Walton Burgess Family Trust, dated January 5, 1995, recorded in Volume 2273, Page 207, Official Records of Brazos County, Texas.
- (17) Mineral Deed executed by Mason Lee Cashion, Jr., et al to Shelley J. Cashion, Trustee of the Ethyl Walton Burgess Family Trust, dated December 25, 2000, recorded in Volume 4015, Page 23, Official Records of Brazos County, Texas.
- (18) Mineral reservation contained in Deed executed by Lou Burgess Cashion to Ethyl Walton Burgess Family Limited Partnership, dated March 15, 1999, recorded in Volume 3481, Page 81, Official Records of Brazos County, Texas.
- (19) Mineral reservation contained in Deed executed by Ethyl Walton Burgess to Ethyl Walton Burgess Family Limited Partnership, dated December 10, 1995, recorded in Volume 2754, Page 78, Official Records of Brazos County, Texas.
- (20) Oil, Gas and Mineral Lease executed by Mason Lee Cashion, Jr., et ux to Chaparral Minerals, Inc., dated September 12, 1977, recorded in Volume 28, Page 76, Oil and Gas Lease Records of Brazos County, Texas. Ratification recorded in Volume 462, Page 530, Deed Records of Brazos County, Texas.

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- (21) Oil, Gas and Mineral Lease executed by Mason Lee Cashion, Jr., et ux to Chaparral Minerals, Inc., dated September 12, 1982, recorded in Volume 69, Page 632, Oil and Gas Lease Records of Brazos County, Texas.
- (22) Oil, Gas and Mineral Lease executed by Mason Lee Cashion, Jr. and wife, Ethyl Burgess Cashion to Chaparral Minerals, Inc., dated September 13, 1983, recorded in Volume 611, Page 404, Official Records of Brazos County, Texas.
- (23) Oil, Gas and Mineral Lease executed by Mason Lee Cashion, Jr., et ux to Union Pacific Resources Company, dated March 15, 1994, recorded in Volume 2115, Page 10, Official Records of Brazos County, Texas.
- (24) Oil, Gas and Mineral Lease executed by Ethyl W. Burgess to Union Pacific Resources Company, dated March 16, 1994, recorded in Volume 2115, Page 14, Official Records of Brazos County, Texas.
- (25) All oil, gas and other minerals, together with the rights of ingress and egress for developing, mining, producing and transporting the same, heretofore reserved or conveyed by predecessors in title.

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Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, to have and hold it to Grantee, Grantee's successors or assigns forever. Grantor binds Grantor and Grantor's, successors and assigns, to warrant and forever defend all and singular the Property to Grantee and Grantee's, successors and assigns forever, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty, when the claim is made by, through or under Grantor, but not otherwise.

The vendor's lien against and superior title to the Property are retained until each note described is fully paid according to its terms, at which time this deed shall become absolute.

GRANTEE ACKNOWLEDGES THAT GRANTOR HAS NOT MADE AND DOES NOT MAKE ANY REPRESENTATIONS AS TO THE PHYSICAL CONDITIONS OF THE PROPERTY, OR ANY OTHER MATTER AFFECTING OR RELATED TO THE PROPERTY (OTHER THAN WARRANTIES OF TITLE AS PROVIDED AND LIMITED HEREIN). GRANTEE EXPRESSLY AGREES THAT TO THE MAXIMUM EXTENT PERMITTED BY LAW, THE PROPERTY IS CONVEYED "AS IS" AND "WITH ALL FAULTS", AND GRANTOR EXPRESSLY DISCLAIMS, AND GRANTEE ACKNOWLEDGES AND ACCEPTS THAT GRANTOR HAS DISCLAIMED, ANY AND ALL REPRESENTATIONS, WARRANTIES OR GUARANTIES OF ANY KIND, ORAL OR WRITTEN, EXPRESS OR IMPLIED (EXCEPT AS TO TITLE AS HEREIN PROVIDED AND LIMITED) CONCERNING THE PROPERTY, INCLUDING,

WITHOUT LIMITATION (i) THE VALUE, CONDITION, MERCHANTABILITY, HABITABILITY, MARKETABILITY, PROFITABILITY, SUITABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE, OF THE PROPERTY (ii) THE MANNER OR QUALITY OF THE CONSTRUCTION, OR THE MATERIALS, IF ANY, INCORPORATED INTO THE CONSTRUCTION, OF ANY IMPROVEMENTS CONVEYED HEREUNDER TO THE PROPERTY AND (iii) THE MANNER OF REPAIR, QUALITY OF REPAIR, STATE OF REPAIR OR LACK OF REPAIR OF ANY SUCH CONVEYED IMPROVEMENTS. BY GRANTEE'S ACCEPTANCE OF THIS DEED, GRANTEE REPRESENTS THAT GRANTEE HAS MADE (i) ALL INSPECTIONS OF THE PROPERTY TO DETERMINE ITS VALUE AND CONDITION DEEMED NECESSARY OR APPROPRIATE BY GRANTEE, INCLUDING, WITHOUT LIMITATION, INSPECTIONS FOR THE PRESENCE OF ASBESTOS, PESTICIDE RESIDUES, HAZARDOUS WASTE AND OTHER HAZARDOUS MATERIALS OR CONTAMINATION OF ALL TYPES AND (ii) INVESTIGATIONS TO DETERMINE WHETHER ANY PORTION OF THE PROPERTY LIES WITHIN ANY FLOOD HAZARD AREA AS DETERMINED BY THE U.S. ARMY CORPS OF ENGINEERS OR OTHER APPLICABLE AUTHORITY.

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When the context requires, singular nouns and pronouns include the plural.

CASHION FAMILY LIMITED PARTNERSHIP

By: 
Shelley Cashion, General Partner

By: SHELLEY J. CASHION EXEMPT TRUST
Under Trust Agreement dated March 30, 1999,
General Partner

By: 
Shelley J. Cashion, Trustee


MASON LEE CASHION
a/k/a MASON LEE CASHION, JR.

THE ESTATE OF LOU BURGESS CASHION

By: Mason Lee Cashion -
Mason Lee Cashion, Executor

04023

THE LOU BURGESS CASHION
FAMILY TRUST

By: Shelley Cashion
Shelley Cashion, Co-Trustee

00099

By: Mason Lee Cashion -
Mason Lee Cashion, Co-Trustee

THE LOU BURGESS CASHION
MARITAL TRUST

By: Shelley Cashion
Shelley Cashion, Co-Trustee

By: Mason Lee Cashion -
Mason Lee Cashion, Co-Trustee

THE LOU BURGESS CASHION EXEMPT
MARITAL TRUST

By: Shelley Cashion
Shelley Cashion, Co-Trustee

By: Mason Lee Cashion -
Mason Lee Cashion, Co-Trustee

THE ETHYL WALTON BURGESS
FAMILY TRUST

By: Shelley

Cashion, Trustee

STATE OF TEXAS

COUNTY OF BRAZOS

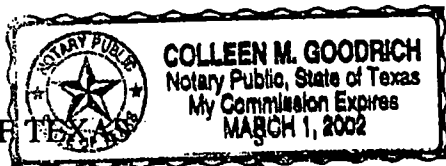
This instrument was acknowledged before me on this the 5 day of January, 2001,
by M. L. Cashion a/k/a Mason L. Cashion.



STATE OF TEXAS

COUNTY OF BRAZOS

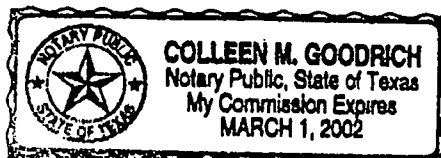
This instrument was acknowledged before me on this the 5 day of January, 2001,
by Shelley Cashion, general partner of the Cashion Family Limited Partnership, a Texas
limited partnership, on behalf of said partnership.



STATE OF TEXAS

COUNTY OF BRAZOS

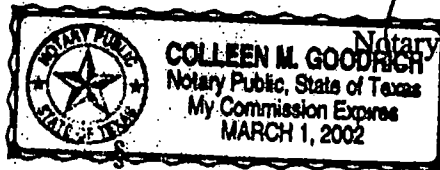
This instrument was acknowledged before me on this the 5 day of January, 2001,
by Shelley J. Cashion, Trustee of the Shelley J. Cashion Exempt Trust, under trust agreement,
dated March 30, 1999, general partner of the Cashion Family Limited Partnership, a Texas
limited partnership, on behalf of said partnership.



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STATE OF TEXAS §
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COUNTY OF BRAZOS §

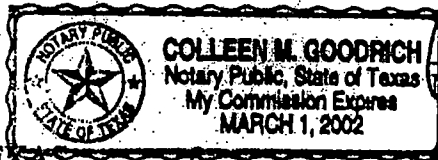
This instrument was acknowledged before me on this the 5 day of January, 2001, by Mason Lee Cashion, Executor of the Estate of Lou Burgess Cashion, on behalf of said estate.

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Colleen M. Goodrich
Notary Public, State of Texas

STATE OF TEXAS §
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COUNTY OF BRAZOS §

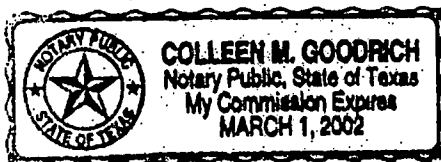
This instrument was acknowledged before me on this the 5 day of January, 2001, by Shelley Cashion, Co-Trustee and Mason Lee Cashion, Co-Trustee of the Lou Burgess Cashion Family Trust, on behalf of said trust.



Colleen M. Goodrich
Notary Public, State of Texas

STATE OF TEXAS §
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COUNTY OF BRAZOS §

This instrument was acknowledged before me on this the 5 day of January, 2001, by Shelley Cashion, Co-Trustee and Mason Lee Cashion, Co-Trustee of the Lou Burgess Cashion Martial Trust, on behalf of said trust.



Colleen M. Goodrich
Notary Public, State of Texas

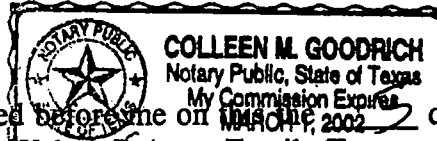
STATE OF TEXAS §
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 COUNTY OF BRAZOS §

This instrument was acknowledged before me on this the 5 day of January, 2001, by Shelley Cashion, Co-Trustee and Mason Lee Cashion, Co-Trustee of the Lou Burgess Cashion Exempt Marital Trust, on behalf of said trust.

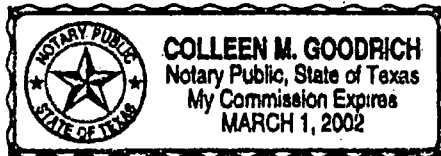
Colleen M. Goodrich
 Notary Public, State of Texas

STATE OF TEXAS §
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 COUNTY OF BRAZOS §

This instrument was acknowledged before me on January 5, 2001 day of January, 2001, by Shelley Cashion, Trustee of the Ethyl Walton Burgess Family Trust, on behalf of said trust.



Colleen M. Goodrich
 Notary Public, State of Texas



PREPARED IN THE LAW OFFICE OF:
 BRUCHEZ, GOSS, THORNTON, MERONOFF & HAWTHORNE, P.C.
 4343 Carter Creek Parkway, Suite 100
 Bryan, Texas 77802 File Number: 99-1301:PEM

AFTER RECORDING RETURN TO:
 LAWYERS TITLE COMPANY OF BRAZOS COUNTY
 1673 Briarcrest Drive, Suite 104B
 Bryan, Texas 77802

EXHIBIT "A"

Ethyl Walton Burgess Family Limited Partnership
Mason Lee Cashion, Jr., and wife,
Ethyl Burgess Cashion
417.85 Acre Tract
J. H. Jones Survey, A-26
College Station & Brazos County, Texas

Field notes of a 417.85 acre tract or parcel of land, lying and being situated in the J. H. Jones Survey, Abstract No. 26, College Station and Brazos County, Texas, and said 417.85 acre tract consisting of the following tracts:

All of the called 218.04 acre (net) tract (excluding 0.2 acre in F.M. No. 2513), described in the deed from Ethyl Walton Burgess to Ethyl Walton Burgess Family Limited Partnership as recorded in Volume 2754, Page 78, of the Official Records of Brazos County, Texas;

All of the called 188.00 acre (net) tract described in the deed from Lou Burgess Cashion to Ethyl Walton Burgess Family Limited Partnership as recorded in Volume 3481, Page 81, of the Official Records of Brazos County, Texas;

And all of the called 12.00 acre tract described as the "save and except" tract in the abovementioned Volume 3481, Page 81, said 12.00 acre tract being part of the called 77.00 acre tract described in the deed from Hershel E. Burgess and wife, Ethyl W. Burgess to Mason Lee Cashion, Jr., and wife, Ethyl Burgess Cashion, as recorded in Volume 364, Page 559, of the Deed Records of Brazos County, Texas, and said 417.85 acre tract being more particularly described as follows:

BEGINNING at the ½" iron rod found at a 6" creosote post fence corner marking the north corner of the beforementioned 188.00 acre tract, same being the west corner of the Gloria Stephen Sale - called 73.428 acre - Tract One described in the deed recorded in Volume 3357, Page 50, of the Official Records of Brazos County, Texas, same being in the southeast line of the Gabbard - 298.51 acre tract described in the deed recorded in Volume 1052, Page 172, of the Official Records of Brazos County, Texas;

THENCE S 47° 20' 04" E along the northeast line of the beforementioned 188.00 acre tract, same being the southwest line of the beforementioned 73.428 acre tract, adjacent to a fence, at a distance of 2943 feet, cross a fence line, continue on, at a distance of 2985.14 feet, pass a 5/8" iron pipe found, continue on for a total distance of 2986.06 feet to a ½" iron rod set in the southwest right-of-way line of Farm to Market Road No. 2513 (Turkey Creek Road), from which a concrete pillar at the north end of a cattleguard entrance bears N 75° 46' 33" W - 50.0 feet, and a concrete right-of-way marker bears N 05° 38' 18" W - 353.8 feet, said ½" iron rod set being in a curve, concave to the east, having a radius of 1195.92 feet;

THENCE along the southwest right-of-way line of F.M. No. 2513 (100' right-of-way), as follows:

Southeasterly along said curve for an arc length of 377.01 feet to a concrete right-of-way marker at the end of this curve, the chord bears S 23° 13' 48" E - 375.45 feet,

S 32° 15' 40" E for a distance of 48.13 feet to a ½" iron rod set at the intersection of the most northerly southeast line of the beforementioned 218.04 acre tract;

THENCE along the lines of the beforementioned 218.04 acre tract, adjacent to a fence, as follows:

S 51° 59' 51" W along the northwest line of the called 10.82 acre tract described in Volume 1705, Page 243, of the Official Records of Brazos County, Texas, at a distance of 1.7 feet, pass a 12" creosote post fence corner, continue on for a total distance of 704.09 feet to a concrete monument found marking the west corner of the 10.82 acre tract, from which a 10" creosote post fence corner bears N 27° 55' 33" W - 0.9 feet,

S 35° 42' 40" E along the southwest line of the 10.82 acre tract and a 0.78 acre tract described in Volume 200, Page 479, of the Deed Records of Brazos County, Texas, for a distance of 704.44 feet to a 10" creosote post fence corner marking the west corner of the M. L. Cashion, Ind. Exec. - 7.02 acre tract described in the deed recorded in Volume 3525, Page 206, of the Official Records of Brazos County, Texas,

S 35° 44' 48" E along the southwest line of the 7.02 acre tract for a distance of 526.19 feet to a ½" iron pipe found at a 6" creosote post fence corner marking the south corner of the 7.02 acre tract, same being the west corner of a 40' wide strip of land which is part of the Burgess - 200 acre - 1st Tract - Volume 123, Page 229, of the Deed Records of Brazos County, Texas,

S 34° 41' 59" E along the southwest line of the said 40' strip, the 4.57 acre tract described in Volume 402, Page 677, and the 5 acre tract described in Volume 596, Page 503, of the Deed Records of Brazos County, Texas, for a distance of 667.17 feet to a ½" iron rod set at the east corner of the 218.04 acre tract, from which a ½" iron pipe found bears S 34° 41' 59" E - 1.35 feet, and a crosstie fence corner bears N 18° 14' 22" W - 0.8 feet,

S 42° 42' 32" W along the northwest line of the 3.50 acre tract described in Volume 563, Page 424, the 2 acre tract described in Volume 248, Page 303, the 1.53 acre tract described in Volume 459, Page 295, the 4.45 acre (net) tract described in Volume 1375, Page 238, the 40' wide strip of land which

is part of the Burgess - 301.31 acre - 2nd Tract described in Volume 123, Page 229, the 5.127 acre tract described in Volume 2879, Page 28, and the 1.575 acre tract described in Volume 2262, Page 212, at a distance of 40.12 feet, pass a ½" iron pipe found, continue on for a total distance of 1632.75 feet to a 6" creosote post fence corner marking an east corner of the Meads - 4 acre tract, Volume 153, Page 588, of the Deed Records of Brazos County, Texas,

N 48° 08' 01" W

along the northeast line of the said Meads - 4 acre tract for a distance of 207.94 feet to a 4" creosote post fence corner marking the north corner of the 4 acre tract,

S 42° 52' 33" W

along the northwest line of the said 4 acre tract and the Dowling - 1.86 acre tract, Volume 164, Page 426, for a distance of 803.33 feet to a 6" creosote post fence corner in the northeast line of the Welch - 2 acre tract, Volume 277, Page 203, of the Deed Records of Brazos County, Texas,

N 45° 21' 21" W

along the northeast line of the said 2 acre tract (277/203), the Welch - 2 acre tract, Volume 289, Page 35, the Welch - 1.01 acre tract, Volume 1511, Page 72, and the Patterson - 3.0 acre tract, Volume 293, Page 357, for a distance of 548.12 feet to a 28" post oak tree fence angle point,

N 33° 44' 06" W

continuing along the northeast line of the Patterson - 3.0 acre tract for a distance of 90.95 feet to a 6" creosote post fence corner marking the north corner of the 3.0 acre tract, same being an interior ell corner of the 218.04 acre tract,

S 42° 56' 28" W

along the northwest line of the said 3.0 acre tract, a 40' wide strip of land (known as Burgess Road) which is part of the Burgess - 301.31 acre - 2nd Tract, Volume 123, Page 229, of the Deed Records of Brazos County, Texas, and the Patterson - 2.0 acre tract, Volume 278, Page 621, for a distance of 639.78 feet to an 8" creosote post fence corner marking the most westerly south corner of the 218.04 acre tract in the northeast line of the Mamaliga - 12.00 acre (net) tract, Volume 1166, Page 275, of the Official Records of Brazos County, Texas,

N 47° 18' 00" W

along the northeast line of the said 12.00 acre tract, the McDonald - 70.89 acre (net) tract, Volume 309, Page 472, and the Proctor - 12.5 acre tract, Volume 2262, Page 10, adjacent to a fence, for a distance of 3632.98 feet to a ½" iron rod set at a 6" creosote post fence corner marking the west corner of the 218.04 acre tract, same being the north corner of the 12.5 acre tract, and same being in the southeast line of a 50' wide access easement strip described in Volume 248, Page 603, of the Deed Records of Brazos County, Texas,

N 42° 34' 05" E

along the southeast line of said 50' wide access strip at a distance of 977.85 feet, pass a ½" iron rod found at the end of said access strip marking the south corner of the B. J. Kling - 25.10 acre tract described in Volume 248, Page 603, of the Deed Records of Brazos County, Texas, continue on at a distance of 1266 feet, pass the common corner between the 218.04 acre tract and the beforementioned 188.00 acre tract, continue on for a total distance of 1685.70 feet to a ½" iron rod set at the interior ell corner of the 188.00 acre tract, same being the east corner of the 25.10 acre tract, from which a 3/8" iron rod found bears S 65° 12' 28" W - 1.05 feet, and a 24" post oak tree fence corner bears N 35° 29' 20" W - 5.3 feet;

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THENCE N 39° 14' 37" W along the common line between the beforementioned 188.00 acre tract and the beforementioned 25.10 acre tract, adjacent to a fence, for a distance of 609.38 feet to a ¾" iron pipe found marking the angle point corner of the 25.10 acre tract, same being the south corner of the beforementioned Gabbard - 298.51 acre tract, from which a 6" creosote post fence corner bears S 59° 04' 53" E - 7.4 feet;

THENCE along the common line between the beforementioned 188.00 acre tract and the beforementioned 298.51 acre tract, along the average fence line marking same, as follows:

N 43° 16' 46" E	for a distance of 700.08 feet to a 24" post oak tree,
N 40° 31' 40" E	for a distance of 694.61 feet to a 12" red oak tree,
N 43° 36' 19" E	for a distance of 412.07 feet to an 18" post oak tree,
N 40° 17' 48" E	for a distance of 234.54 feet to a 6" fence post,
N 41° 59' 15" E	for a distance of 478.47 feet to the PLACE OF BEGINNING , containing 417.85 acres of land, more or less.

Bearings oriented to grid north based on Texas State Plane Coord. System (NAD-27 DATUM), central zone, convergence = 02° 01' 56". Distances are surface not grid. To convert from surface to grid apply 0.9998907 scale factor.

Surveyed September 1999

By:

S. M. Kling
R.P.L.S. No. 2003

kes99-02b:\burgess.417

EXHIBIT "B"

Traditions Golf and Country Club
87.20 Acre Tract
J.H. Jones Survey, A-26
Brazos County, Texas

Field notes of a 87.20 acre tract or parcel of land, lying and being situated in the J. H. Jones Survey, Abstract No. 26, College Station and Brazos County, Texas, and said 87.20 acre tract consisting of the following tracts:

Part of the called 218.04 acre (net) tract (excluding 0.2 acre in F.M. No. 2513), described in the deed from Ethyl Walton Burgess to Ethyl Walton Burgess Family Limited Partnership as recorded in Volume 2754, Page 78, of the Official Records of Brazos County, Texas;

And Part of the called 188.00 acre (net) tract described in the deed from Lou Burgess Cashion to Ethyl Walton Burgess Family Limited Partnership as recorded in Volume 3481, Page 81, of the Official Records of Brazos County, Texas;

And said 87.20 acre tract being more particularly described as follows:

BEGINNING at the $\frac{1}{2}$ " iron rod found at a 6" creosote post fence corner marking the north corner of the beforementioned 188.00 acre tract, same being the west corner of the Gloria Stephen Sale - called 73.428 acre - Tract One described in the deed recorded in Volume 3357, Page 50, of the Official Records of Brazos County, Texas, same being in the southeast line of the Gabbard - 298.51 acre tract described in the deed recorded in Volume 1052, Page 172, of the Official Records of Brazos County, Texas;

THENCE through the interior of the beforementioned 188.00 acre tract, as follows:

S 00° 50' 13" E	for a distance of 1342.07 feet to a $\frac{1}{2}$ " iron rod set;
S 42° 42' 09" W	for a distance of 912.35 feet to a $\frac{1}{2}$ " iron rod set,
S 47° 17' 51" E	along the southwest line of the 12.00 acre tract for a distance of 376.90 feet to the center of an existing 10' wide asphalt road;

THENCE along the center of said asphalt road, as follows:

S 17° 38' 36" E	for a distance of 91.35 feet,
S 20° 18' 11" E	for a distance of 106.50 feet,
S 25° 40' 35" E	for a distance of 151.82 feet,
S 27° 53' 07" E	for a distance of 157.46 feet,
S 44° 53' 02" E	for a distance of 47.46 feet,
S 63° 12' 18" E	for a distance of 47.47 feet,
S 77° 02' 29" E	for a distance of 39.77 feet;

THENCE continuing through the interior of the beforementioned 188.00 acre tract and the beforementioned 218.04 acre tract, as follows:

S 27° 19' 33" W	for a distance of 1250.36 feet to a $\frac{1}{2}$ " iron rod set;
N 62° 40' 27" W	for a distance of 853.47 feet to a $\frac{1}{2}$ " iron rod set,
N 47° 25' 55" W	for a distance of 767.47 feet to a $\frac{1}{2}$ " iron rod set in the southerly northwest line of the 218.04 acre tract,
N 42° 34' 05" E	along the northwest line of said 218.04 acre tract, for a distance of 885.69 feet to a $\frac{1}{2}$ " iron rod set at the interior ell corner of the 188.00 acre tract, same being the east corner of the 25.10 acre tract described in the deed Recorded in Volume 248, Page 603 of the Deed Records of Brazos, County, Texas, from which a $\frac{3}{8}$ " iron rod found bears S 65° 12' 28" W - 1.05 feet, and a 24" post oak tree fence corner bears N 35° 29' 20" W - 5.3 feet;

EXHIBIT "B"

0755781

Traditions Golf and Country Club
87.20 Acre Tract
J.H. Jones Survey, A-26
Brazos County, Texas
Continued - Page 2

THENCE N 39° 14' 37" W along the common line between the beforementioned 188.00 acre tract and the beforementioned 25.10 acre tract adjacent to a fence, for a distance of 609.38 feet to a 3/4" iron pipe found marking the angle point corner of the 25.10 acre tract, same being the south corner of the beforementioned Gabbard - 298.51 acre tract, from which a 6" creosote post fence corner bears S 59° 04' 53" E - 7.4 feet;

THENCE along the common line between the beforementioned 188.00 acre tract and the beforementioned 298.51 acre tract, along the average fence line marking same, as follows:

N 43° 16' 46" E	for a distance 700.08 feet to a 24" post oak tree,
N 40° 31' 40" E	for a distance 694.61 feet to a 12" red oak tree,
N 43° 36' 19" E	for a distance of 412.07 feet to an 18" post oak tree,
N 40° 17' 48" E	for a distance of 234.54 feet to a 6" fence post,
N 41° 59' 15" E	for a distance of 478.47 feet to the PLACE OF BEGINNING, containing 87.20 acres of land, more or less.

Bearings oriented to grid north based on Texas State Plane Coord. System (NAD-27 DATUM), central zone, convergence = 02° 01' 56". Distances are surface not grid. To convert from surface to grid apply 0.9998907 scale factor.



Surveyed December 2000

By:

S.M. Kling
S.M. Kling
R.P.L.S. No. 2003

Revised 01/02/01
modified tract perimeter

kes00-02b:traditbc82.7.wpd

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Traditions Golf and Country Club
Burgess & Cashion Drillsite #1
2.81 Acre Drillsite Tract
J. H. Jones Survey, A-26
Brazos County, Texas

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Field notes of a 2.81 acre tract or parcel of land, lying and being situated in the J. H. Jones Survey, Abstract No. 26, Brazos County, Texas, and being part of the called 218.04 acre (net) tract described in the deed to Ethyl Walton Burgess Family Limited Partnership as recorded in Volume 2754, Page 78, of the Official Records of Brazos County, Texas, and said 2.81 acre tract being more particularly described as follows:

COMMENCING at the 8" creosote post fence corner marking the most westerly south corner of the beforementioned 218.04 acre tract, same being in the northeast line of the Mamaliga - 12.00 acre (net) tract, Volume 1166, Page 275, of the Official Records of Brazos County, Texas, and same being the west corner of the Patterson - called 2.0 acre tract, Volume 278, Page 621, of the Deed Records of Brazos County, Texas;

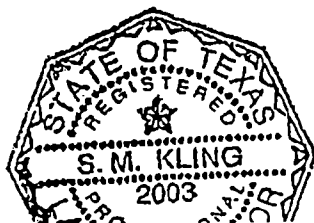
THENCE N 47° 18' 00" W along the southwest line of the beforementioned 218.04 acre tract, same being the northeast line of the beforementioned 12.00 acre tract and the McDonald - called 70.89 acre (net) tract, Volume 309, Page 472, of the Deed Records of Brazos County, Texas, adjacent to a fence, for a distance of 300.00 feet to a ½" iron rod set at the **PLACE OF BEGINNING** of this description;

THENCE N 47° 18' 00" W continuing along the southwest line of the beforementioned 218.04 acre tract for a distance of 350.00 feet to a ½" iron rod set, from which a ½" iron rod set at a 6" creosote post fence corner marking the west corner of the 218.04 acre tract, bears N 47° 18' 00" W - 2982.98 feet;

THENCE through the interior of the beforementioned 218.04 acre tract, as follows:

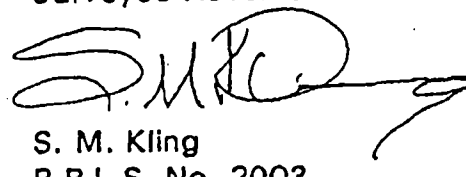
N 42° 42' 00" E for a distance of 350.00 feet to a ½" iron rod set,
S 47° 18' 00" E for a distance of 350.00 feet to a ½" iron rod set,
S 42° 42' 00" W for a distance of 350.00 feet to the **PLACE OF BEGINNING**, containing 2.81 acres of land, more or less.

Bearings oriented to grid north based on Texas State Plane Coord. System (NAD-27 DATUM), central zone, convergence = 02° 01' 56". Distances are surface not grid. To convert from surface to grid apply 0.9998907 scale factor.



Surveyed November 2000

By:


S. M. Kling
R.P.S. No. 2003

Traditions Golf & Country Club
Burgess & Cashion Drillsite No. 1
35' wide Access Easement
J. H. Jones Survey, A-26
College Station, Brazos County, Texas

Field notes of a 35' wide access easement lying and being situated in the J. H. Jones Survey, Abstract No. 26, College Station, Brazos County, Texas, and lying across and being part of the called 218.04 acre (net) tract described in the deed to Ethyl Walton Burgess Family Limited Partnership as recorded in Volume 2754, Page 78, of the Official Records of Brazos County, Texas, and said access easement being 35 feet wide, adjoining and lying 17.5 feet on each side of the following described centerline:

COMMENCING at the 8" creosote post fence corner marking the most westerly south corner of the beforementioned 218.04 acre tract, same being the west corner of the W. H. Patterson - called 2.0 acre tract described in the deed recorded in Volume 278, Page 621, of the Deed Records of Brazos County, Texas;

THENCE N 42° 56' 28" E along the most westerly southeast line of the beforementioned 218.04 acre tract, same being the northwest line of the beforementioned 2.0 acre tract, adjacent to a fence, at a distance of 206.00 feet, pass the north corner of the 2.0 acre tract, same being the west corner of an approximately 40' wide strip of land known as Burgess Lane, said 40' wide strip being part of the H. E. Burgess Estate - called 200 acre - 1st Tract described in the deed recorded in Volume 123, Page 229, of the Deed Records of Brazos County, Texas, from which the north corner of said strip, same being the west corner of the W. H. Patterson - called 3.0 acre tract, Volume 293, Page 357, of the Deed Records of Brazos County, Texas, bears N 42° 56' 28" E - 40.28 feet, continue on for a total distance of 226.14 feet to the center of said 40' strip at the **PLACE OF BEGINNING** of this description, from which a 6" creosote post fence corner marking an interior ell corner of the 218.04 acre tract, same being the north corner of the 3.0 acre tract bears N 42° 56' 28" E - 413.64 feet;

THENCE N 47° 18' 00" W through the interior of the beforementioned 218.04 acre tract, parallel with and 226.14 feet northeast of the southwest line of the 218.04 acre tract for a distance of 300.95 feet to the end of this easement in the southeast line of a proposed 2.81 acre drillsite tract, from which a ½" iron rod marking the east corner of same bears N 42° 42' 00" E - 123.86 feet. This easement being 300.95 feet in length, encompassing 0.24 acre of land, more or less.

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EXHIBIT "D"

Traditions Golf & Country Club
Burgess & Cashion Drillsite No. 2
35' wide Access Easement
J. H. Jones Survey, A-26
College Station, Brazos County, Texas

Field notes of a 35' wide access easement lying and being situated in the J. H. Jones Survey, Abstract No. 26, College Station, Brazos County, Texas, and lying across and being part of the called 218.04 acre (net) tract described in the deed to Ethyl Walton Burgess Family Limited Partnership as recorded in Volume 2754, Page 78, of the Official Records of Brazos County, Texas, and part of the called 188.00 acre (net) tract described in the deed to Ethyl Walton Burgess Family Limited Partnership as recorded in Volume 3481, Page 81, of the Official Records of Brazos County, Texas, and said access easement being 35 feet wide, adjoining and lying 17.5 feet on each side of the following described centerline:

COMMENCING at the $\frac{1}{2}$ " iron rod set in the southwest right-of-way line of Farm to Market Road No. 2513 (Turkey Creek Road) (100' wide right-of-way) at the most easterly north corner of the beforementioned 218.04 acre tract, from which a $\frac{3}{4}$ " iron pipe found bears N 47° 20' 04" W - 0.92 feet, and from which a $\frac{1}{2}$ " iron rod found near a 6" creosote post fence corner marking the north corner of the beforementioned 188.00 acre tract bears N 47° 20' 04" W - 2986.06 feet;

THENCE southerly along the southwest right-of-way line of the beforementioned F.M. No. 2513, along a curve, concave to the northeast, having a radius of 1195.92 feet, for an arc length of 44.68 feet to the PLACE OF BEGINNING of this description, the chord bears S 15° 16' 09" E - 44.68 feet;

THENCE through the interior of the beforementioned 218.04 acre tract and the beforementioned 188.00 acre tract, and along the proposed centerline alignment of a proposed road which traverses through the Traditions Golf and Country Club development, as follows:

N 78° 49' 04" W for a distance of 153.78 feet to the beginning of a curve, concave to the south, having a radius of 300.00 feet,
Westerly along said curve for an arc length of 114.91 feet to the end of this curve, the chord bears N 89° 47' 26" W - 114.21 feet,
S 79° 14' 12" W for a distance of 175.90 feet to the beginning of a curve, concave to the northeast, having a radius of 50.00 feet,
Northwesterly along said curve for an arc length of 92.08 feet to the end of this curve in the existing center of a gravel access road to communications tower site, the chord bears N 48° 00' 18" W - 79.61 feet,
N 04° 45' 11" E along the center of said gravel access road for a distance of 164.01 feet,
N 10° 56' 25" W along the center of said gravel access road for a distance of 38.12 feet,
N 47° 20' 04" W leaving said gravel access road, for a distance of 337.59 feet to the end of this easement in the southeast line of a proposed 2.89 acre drillsite, from which a $\frac{1}{4}$ " iron rod set at the east corner of same in the northwest line of the 188.00 acre tract bears N 42° 39' 56" E - 171.30 feet. This easement being 1076.4 feet in length, encompassing 0.86 acre of land, more or less.

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EXHIBIT "D"

Traditions Golf & Country Club
Burgess & Cashion Drillsite No. 2
35' wide Access Easement and Drillsite Tract
J. H. Jones Survey, A-26
College Station, Brazos County, Texas
Continued - Page 2

TOGETHER WITH THE FOLLOWING DESCRIBED DRILLSITE TRACT:

Traditions Golf and Country Club
Burgess & Cashion Drillsite #2
2.89 Acre Drillsite Tract
J. H. Jones Survey, A-26
College Station, Brazos County, Texas

Field notes of a 2.89 acre tract or parcel of land, lying and being situated in the J. H. Jones Survey, Abstract No. 26, College Station, Brazos County, Texas, and being part of the called 188.00 acre (net) tract described in the deed to Ethyl Walton Burgess Family Limited Partnership as recorded in Volume 3481, Page 81, of the Official Records of Brazos County, Texas, and said 2.89 acre tract being more particularly described as follows:

COMMENCING at the ½" iron rod set in the southwest right-of-way line of Farm to Market Road No. 2513 (Turkey Creek Road) (100' wide right-of-way) at the most east corner of the beforementioned 188.00 acre tract, from which a ¾" iron pipe found bears N 47° 20' 04" W - 0.92 feet, and from which a ½" iron rod found near a 6" creosote post fence corner marking the north corner of the beforementioned 188.00 acre tract bears N 47° 20' 04" W - 2986.06 feet;

THENCE N 47° 20' 04" W along the northeast line of the beforementioned 188.00 acre tract, adjacent to a fence, for a distance of 831.00 feet to a ½" iron rod set at the PLACE OF BEGINNING of this description;

THENCE through the interior of the beforementioned 188.00 acre tract, as follows:

S 42° 39' 56" W for a distance of 171.30 feet, pass the centerline of the end of a proposed 35' wide access easement, continue on for a total distance of 280.00 feet to a ½" iron rod set,
N 47° 20' 04" W for a distance of 450.00 feet to a ½" iron rod set,
N 42° 39' 56" E for a distance of 280.00 feet to a ½" iron rod set in the northeast line of the 188.00 acre tract,
S 47° 20' 04" E along the northeast line of the 188.00 acre tract, adjacent to a fence, for a distance of 450.00 feet to the PLACE OF BEGINNING, containing 2.89 acres of land, more or less.

Bearings oriented to grid north based on Texas State Plane Coord. System (NAD-27 DATUM), central zone, convergence = 02° 01' 56". Distances are surface not grid. To convert from surface to grid apply 0.9998907 scale factor.



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Surveyed November 2000

By:

S.M. Kling
S. M. Kling
R.P.L.S. No. 2003

10755781

040213

EXHIBIT "E"
Burgess Estate
0.37 Acre Tract
J. H. Jones Survey, A-26
College Station, Brazos County, Texas

Field notes of a 0.37 acre tract or parcel of land, lying and being situated in the J. H. Jones Survey, Abstract No. 26, College Station, Brazos County, Texas, and being part of the called 301.31 acre tract - 2nd Tract described in the deed from Oakwood Realty Company to H. E. Burgess as recorded in Volume 123, Page 229, of the Deed Records of Brazos County, Texas, and being bounded as follows:

On the north by a southeast line of the Burgess & Cashion - called 218.04 acre (net) tract described in the deed recorded in Volume 2754, Page 78, of the Official Records of Brazos County, Texas;

On the northeast by the southwest line of the Kappa Sigma - Mu Gamma Chapter, Inc. - called 4 acre - Tract 1 described in the deed recorded in Volume 1375, Page 238, of the Official Records of Brazos County, Texas;

On the southeast by the northwest right-of-way line of State Highway No. 47;

And on the southwest by the northeast line of the David O. & Sarah Shelby - called 5.127 acre tract described in the deed recorded in Volume 2879, Page 28, of the Official Records of Brazos County, Texas;

and said 0.37 acre tract being more particularly described as follows:

BEGINNING at the $\frac{1}{2}$ " iron rod set at the intersection of the northwest right-of-way line of the beforementioned State Highway No. 47 with the southwest line of the beforementioned 4 acre tract, from which the east corner of the beforementioned 301.31 acre tract bears S 47° 17' 28" E - 27.7 feet and N 42° 41' 07" E - 384 feet;

THENCE S 45° 38' 38" W along the northwest right-of-way line of State Highway No. 47 for a distance of 40.05 feet to a $\frac{1}{2}$ " iron rod set at the intersection of the northeast line of the beforementioned 5.127 acre tract;

THENCE N 47° 17' 28" W along the northeast line of the beforementioned 5.127 acre tract for a distance of 406.14 feet to a $\frac{1}{2}$ " iron rod set at the north corner of the 5.127 acre tract in a southeast line of the beforementioned 218.04 acre tract;

THENCE N 42° 42' 32" E along a southeast line of the beforementioned 218.04 acre tract, adjacent to a fence, for a distance of 40.00 feet to the west corner of the beforementioned 4 acre tract, from which a $\frac{3}{4}$ " iron pipe found at a 4" creosote post fence corner bears N 47° 17' 28" W - 0.54 feet;

THENCE S 47° 17' 28" E along the southwest line of the beforementioned 4 acre tract for a distance of 408.19 feet to the **PLACE OF BEGINNING**, containing 0.37 acre of land, more or less.

Bearings oriented to grid north based on Texas State Plane Coord. System (NAD-27 DATUM), central zone, convergence = 02° 01' 56". Distances are surface not grid. To convert from surface to grid apply 0.9998907 scale factor.



Prepared 12/18/00

ksa00-02b:cashion037.wpd

Surveyed December 2000

By:

A handwritten signature in black ink, appearing to be "S.M. Kling".

S. M. Kling
R.P.L.S. No. 2003

Burgess Estate
0.90 Acre Tract
J. H. Jones Survey, A-26
College Station, Brazos County, Texas

Field notes of a 0.90 acre tract or parcel of land, lying and being situated in the J. H. Jones Survey, Abstract No. 26, College Station, Brazos County, Texas, and being part of the called 301.31 acre tract - 2nd Tract described in the deed from Oakwood Realty Company to H. E. Burgess as recorded in Volume 123, Page 229, of the Deed Records of Brazos County, Texas, and being bounded as follows:

On the northwest by a southeast line of the Burgess & Cashion - called 218.04 acre (net) tract described in the deed recorded in Volume 2754, Page 78, of the Official Records of Brazos County, Texas;

On the northeast by the southwest line of the following tracts: the W. H. Patterson - called 3.0 acre tract described in the deed recorded in Volume 293, Page 357, of the Deed Records of Brazos County, Texas; the Welch - called 1.01 acre tract described in the deed recorded in Volume 1511, Page 72, of the Official Records of Brazos County, Texas; the Welch - called 1 acre (net) tract described in the deed recorded in Volume 289, Page 35, of the Deed Records of Brazos County, Texas; the Welch - called 2 acre tract described in the deed recorded in Volume 277, Page 203, of the Deed Records of Brazos County, Texas; and the Welch - called 1 acre tract described in the deed recorded in Volume 3147, Page 245, of the Official Records of Brazos County, Texas;

On the southeast by the northwest right-of-way line of State Highway No. 47;

And on the southwest by the following tracts: the Patterson - called 2.00 acre tract described in the deed recorded in Volume 278, Page 621, of the Deed Records of Brazos County, Texas; the Crouch - 2.00 acre tract described in the deed recorded in Volume 365, Page 249, of the Deed Records of Brazos County, Texas; and the Luedecke - called 1 acre - 2nd Tract described in the deed recorded in Volume 183, Page 304, of the Deed Records of Brazos County, Texas, and this 0.90 acre tract contains the existing asphalt and gravel road, commonly known as Burgess Lane (private road);

and said 0.90 acre tract being more particularly described as follows:

BEGINNING at the 1/2" iron rod set at the intersection of the southwest line of the beforementioned 1 acre tract (3147/245) with the northwest right-of-way line of State Highway No. 47, from which a concrete right-of-way marker found bears N 67° 22' 49" E - 173.38 feet;

THENCE S 67° 22' 49" W along the northwest right-of-way line of State Highway No. 47 for a distance of 44.01 feet to a 1/2" iron rod set at the intersection of the northeast line of the beforementioned 1 acre tract (183/304);

THENCE N 47° 16' 45" W along the northeast line of the beforementioned 1 acre tract (183/304), the beforementioned 2.00 acre tract (365/249) and the beforementioned 2.00 acre tract (278/621), same being along the southwest line of Burgess Lane, for a distance of 965.59 feet to a 1/2" iron rod set at the north corner of the beforementioned Patterson - 2.0 acre tract, same being in a southeast line of the beforementioned 218.04 acre tract, from which an 8" creosote post fence corner marking the south corner of the 218.04 acre tract and the west corner of the 2.0 acre tract bears S 42° 56' 28" W - 206.25 feet;

THENCE N 42° 56' 28" E along a southeast line of the beforementioned 218.04 acre tract, adjacent to a fence, for a distance of 40.00 feet to a 1/2" iron rod set at the west corner of the beforementioned Patterson - 3.0 acre tract (293/357), from which a 6" creosote post fence corner marking the north corner of the 3.0 acre tract and an interior ell corner of the 218.04 acre tract bears N 42° 56' 28" E - 393.53 feet;

Burgess Estate
0.90 Acre Tract
J. H. Jones Survey, A-26
College Station, Brazos County, Texas
Continued - Page 2

THENCE S 47° 16' 45" E along the southwest line of the beforementioned 3.0 acre tract, the beforementioned 1.01 acre tract, the 1 acre (net) tract, the 2 acre tract and the 1 acre tract (3147/245) same being along the northeast line of Burgess Lane, at a distance of 849.10 feet, pass a 1/2" iron rod found at a cross tie fence post marking the west corner of the 1 acre tract (3147/245), continue on for a total distance of 983.80 feet to the PLACE OF BEGINNING, containing 0.90 acre of land, more or less.



Surveyed December 2000

By:

S. M. Kling
S. M. Kling
R.P.L.S. No. 2003

Prepared 12/18/00

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Filed for Record in:
BRAZOS COUNTY,

On: Jan 05, 2001 at 04:16PM

As a
Recordings

Document Number: 0733781

Amount 58.00

Receipt Number - 164715

By:
Marsha Massingill

STATE OF TEXAS COUNTY OF
I hereby certify that this instrument was
filed on the date and time stamped hereon by me
and was duly recorded in the volume and page
of the named records of:
BRAZOS COUNTY,
is stamped hereon by me.

Jan 05, 2001

HONORABLE MARY ANN WARD, COUNTY CLERK
BRAZOS COUNTY,

EXHIBIT "F"

Traditions Golf and Country Club
0.12 Acre Tower Site Tract
J. H. Jones Survey, A-26
College Station, Brazos County, Texas

Field notes of a 0.12 acre tract or parcel of land, lying and being situated in the J. H. Jones Survey, Abstract No. 26, College Station, Brazos County, Texas, and being part of the called 188.00 acre (net) tract described in the deed to Ethyl Walton Burgess Family Limited Partnership as recorded in Volume 3481, Page 81, of the Official Records of Brazos County, Texas, and said 0.12 acre tract being more particularly described as follows:

COMMENCING at the 1/2" iron rod set in the southwest right-of-way line of Farm to Market Road No. 2513 (Turkey Creek Road) (100' wide right-of-way) at the most east corner of the beforementioned 188.00 acre tract, from which a 3/4" iron pipe found bears N 47° 20' 04" W - 0.92 feet, and from which a 1/2" iron rod found near a 6" creosote post fence corner marking the north corner of the beforementioned 188.00 acre tract bears N 47° 20' 04" W - 2986.06 feet;

THENCE N 47° 20' 04" W along the northeast line of the beforementioned 188.00 acre tract, adjacent to a fence, for a distance of 698.24 feet;

THENCE S 42° 25' 11" W through the interior of the beforementioned 188.00 acre tract for a distance of 24.69 feet to a chain link fence corner at the east corner of an existing, fenced communications site with tower for the PLACE OF BEGINNING of this description;

THENCE through the interior of the beforementioned 188.00 acre tract and along the existing, fenced communications site with tower, as follows:

S 42° 25' 11" W	for a distance of 63.73 feet, pass the northwest end of the afore described 12' Wide Access Easement, continue on for a total distance of 73.77 feet to a chain link fence corner;
N 47° 13' 10" W	for a distance of 73.00 feet to a chain link fence corner;
N 42° 33' 30" E	for a distance of 73.35 feet to a chain link fence corner;
S 47° 32' 46" E	for a distance of 72.83 feet to the PLACE OF BEGINNING, containing 0.12 acre of land, more or less.

Bearings oriented to grid north based on Texas State Plane Coord. System (NAD-27 DATUM), central zone, convergence = 02° 01' 56". Distances are surface not grid. To convert from surface to grid apply 0.9998907 scale factor.

Surveyed November 2000

By:

S. M. Kling
R.P.L.S. No. 2003

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KLING ENGINEERING AND SURVEYING
BRYAN, TEXAS

Traditions Golf & Country Club
 Bryan Commerce and Development, Inc.
 15.40 Acre - Tract Seven
 J. H. Jones Survey, A-26
 Bryan, Brazos County, Texas

Field notes of a 15.40 acre tract or parcel of land, lying and being situated in the J. H. Jones Survey, Abstract No. 26, Bryan, Brazos County, Texas, and being part of the following tracts:

- 298.51 acre tract described in the deed from Dexter T. Gabbard, et ux to Bryan Commerce and Development, Inc. as recorded in Volume 4006, Page 195, of the Official Records of Brazos County, Texas;

- 87.20 acre Tract 1 described in the deed from Cashion Family Limited Partnership to Bryan Commerce and Development, Inc. as recorded in Volume 4023, Page 71, of the Official Records of Brazos County, Texas;

- 101.96 acre tract described in the deed from Turkey Creek Investments, Inc., to Bryan Commerce and Development, Inc. as recorded in Volume 3983, Page 54, of the Official Records of Brazos County, Texas, and said 15.40 acre tract being more particularly described as follows:

COMMENCING at the $\frac{1}{2}$ " iron rod found marking the north corner of the Bryan Commerce and Development, Inc. - 26.72 acre tract, Volume 4267, Page 316, of the Official Records of Brazos County, Texas, same being the west corner of the called 49.9983 acre tract - Volume 1239, Page 109, of the Official Records of Brazos County, Texas, in the southeast right-of-way line of West Villa Maria Road, from which control monument #5, having coordinates of Northing (y) = 361,267.53' and Easting (x) = 3,240,023.14 and control monument #8, having coordinates of Northing (y) = 364,117.21 and Easting (x) = 3,244,757.70' (both are $\frac{1}{2}$ " iron rods found at aerial panel points - Texas State Plane Coord. System, Central Zone, NAD-27 Datum - U.S. Survey feet) are referenced as follows: control monument #5 bears S 08° 38' 56" E - 7462.35 feet, and control monument #8 bears S 52° 17' 34" E - 7402.88 feet;

THENCE S 23° 18' 49" E for a distance of 5646.29 feet to a $\frac{1}{2}$ " iron rod set at the **PLACE OF BEGINNING** of this description at the east corner of Traditions Drive - 80' right-of-way (end of the initial Traditions Drive right-of-way dedication) as described in the right-of-way deed to the City of Bryan, recorded in Volume 4787, Page 167, of the Official Records of Brazos County, Texas, from which a $\frac{3}{4}$ " iron pipe found marking the most northerly west corner of the beforementioned 87.20 acre tract bears S 45° 09' 27" W - 385.89 feet, and a $\frac{1}{2}$ " iron rod set at the east corner of the 19.04 acre Tract Five bears N 69° 09' 13" W - 80.01 feet;

THENCE N 69° 09' 13" W along the end of the Traditions Drive 80' right-of-way dedication, Volume 4787, Page 167, for a distance of 164.28 feet to a $\frac{1}{2}$ " iron rod set;

Traditions Golf & Country Club
 Bryan Commerce and Development, Inc.
 15.40 Acre - Tract Seven
 J. H. Jones Survey, A-26
 Bryan, Brazos County, Texas
 Continued - Page 2

THENCE along the lines encompassing Traditions Golf Course holes #1 and #2, as follows:

N 60° 53' 51" W for a distance of 840.77 feet to a ½" iron rod set at the beginning of a curve, concave to the south, having a radius of 190.00 feet,
 Westerly along said curve for an arc length of 82.03 feet to a ½" iron rod set at the end of this curve, the chord bears N 73° 15' 59" W - 81.40 feet,
 N 85° 38' 06" W for a distance of 384.33 feet to a ½" iron rod set at the beginning of a curve, concave to the northeast, having a radius of 29.00 feet,
 Northwesterly along said curve for an arc length of 42.63 feet to a ½" iron rod set at the end of this curve the chord bears N 43° 31' 14" W - 38.90 feet,
 N 01° 24' 21" W for a distance of 223.99 feet to a ⅝" iron rod set;

THENCE across the beforementioned 298.51 acre tract and the 87.20 acre tract, as follows:

N 84° 37' 41" E for a distance of 481.08 feet to a ½" iron rod set at the west corner of the 27.80 acre Hotel Tract,
 S 63° 18' 59" E for a distance of 519.60 feet to a ½" iron rod set,
 S 62° 52' 52" E for a distance of 111.35 feet to a ½" iron rod set at the beginning of a curve, concave to the southwest, having a radius of 600.93 feet,
 Southeasterly along said curve for an arc length of 219.72 feet to a ½" iron rod set at the end of this curve, the chord bears S 54° 27' 04" E - 218.50 feet,
 N 87° 12' 40" E for a distance of 588.54 feet to a ½" iron rod set,
 S 60° 28' 52" E for a distance of 134.13 feet to a ½" iron rod set,
 S 34° 41' 40" E for a distance of 232.75 feet to a ½" iron rod set in a curve, concave to the south, having a radius of 176.00 feet,
 Southwesterly along said curve for an arc length of 161.22 feet to a ½" iron rod set at the point of compound curve, concave to the north having a radius of 97.00 feet, the chord bears S 64° 11' 53" W - 155.65 feet,
 Southwesterly along said curve for an arc length of 88.11 feet to a ½" iron rod set at the end of this curve, the chord bears S 63° 58' 34" W - 85.11 feet;

Traditions Golf & Country Club
Bryan Commerce and Development, Inc.
15.40 Acre - Tract Seven
J. H. Jones Survey, A-26
Bryan, Brazos County, Texas
Continued - Page 3

THENCE S 89° 59' 50" W for a distance of 338.45 feet to a ½" iron rod set at the beginning of a curve, concave to the south, having a radius of 125.00 feet;

THENCE Southwesterly along said curve for an arc length of 105.13 feet to a ½" iron rod set at the end of this curve, the chord bears S 65° 54' 13" W - 102.06 feet;

THENCE S 41° 48' 36" W for a distance of 40.97 feet to the **PLACE OF BEGINNING**, containing 15.40 acres of land, more or less.

Bearings oriented to grid north based on Texas State Plane Coord. System (NAD-27 DATUM), central zone, convergence = 02° 01' 56". Distances are surface not grid. To convert from surface to grid apply 0.9998907 scale factor.



Surveyed January 2003

By:

A handwritten signature in black ink, appearing to read "S. M. Kling", written over a horizontal line.

S. M. Kling
R.P.L.S. No. 2003

Prepared 01/24/03

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Dexter T. Gabbard
First City, Texas, Trustee
C. Neal Johnson & Frecia Johnson
298.51 Acre Tract
J. H. Jones Survey, A-26
Brazos County, Texas

Field notes of a 298.51 acre tract or parcel of land, lying and being situated in the J. H. Jones Survey, Abstract No. 26, Brazos County, Texas, and being all of the called 298.51 acre (net) tract described in the Substitute Trustee's Deed from William S. Thornton, Substitute Trustee to Dexter T. Gabbard, Richard Bruce Gabbard and the Estate of James G. Gabbard, as recorded in Volume 1052, Page 172, of the Official Records of Robertson County, Texas, (this tract also being described in Volume 1375, Page 184, and Volume 3170, Page 218, of the Official Records of Brazos County, Texas), and said 298.51 acre tract being more particularly described as follows:

BEGINNING at the $\frac{1}{2}$ " iron rod found (with cap) at a 6" creosote post fence corner marking the east corner of the beforementioned 298.51 acre tract, same being the north corner of the 73.428 acre - Tract One described in the deed recorded in Volume 3357, Page 50, of the Official Records of Brazos County, Texas, same being in the southwest line of the T.A.M.U. - 838 acre tract described in the deed recorded in Volume "M", Page 142, and same being in the common line between the beforementioned Jones Survey and the Joe E. Scott Survey, Abstract No. 50;

THENCE along the average fence line marking the southeast line of the beforementioned 298.51 acre tract, same being the northwest line of the beforementioned 73.428 acre tract and the Burgess - 188.00 acre tract described in Volume 3481, Page 81, of the Official Records of Brazos County, Texas, as follows:

S 41° 49' 51" W	for a distance of 1351.06 feet to a $\frac{1}{2}$ " iron rod found at a 6" creosote post fence corner marking the west corner of the 73.428 acre tract, same being the north corner of the 188.00 acre tract,
S 41° 59' 15" W	for a distance of 478.47 feet to a 6" fence post,
S 40° 17' 48" W	for a distance of 234.54 feet to an 18" post oak tree,
S 43° 36' 19" W	for a distance of 412.07 feet to a 12" red oak tree,
S 40° 31' 40" W	for a distance of 694.61 feet to a 24" post oak tree,
S 43° 16' 46" W	for a distance of 700.08 feet to a $\frac{3}{4}$ " iron pipe found marking the south corner of the 298.51 acre tract and a west corner of the 188.00 acre tract, same being an angle point corner in the northeast line of the B. J. Kling - 25.10 acre tract described in the deed recorded in Volume 248, Page 603, of the Deed Records of Brazos County, Texas, from which a 6" creosote post fence corner bears S 59° 04' 53" E - 7.4 feet;

THENCE along the southwest line of the beforementioned 298.51 acre tract, same being the northeast line of the beforementioned 25.10 acre tract and the called 102.32 acre tract described in Volume 1090, Page 462, adjacent to a fence, as follows:

EXHIBIT "A"

Dexter T. Gabbard
First City, Texas, Trustee
C. Neal Johnson & Frecia Johnson
298.51 Acre Tract
J. H. Jones Survey, A-26
Brazos County, Texas
Continued - Page 2

N 48° 26' 46" W for a distance of 806.17 feet to a ¾" iron rod found (in fence - no fence corner) marking the occupied north corner of the 25.10 acre tract, same being the occupied east corner of the 102.32 acre tract, from which a ½" iron rod found bears N 48° 46' 04" E - 10.41 feet,
N 47° 46' 24" W at a distance of 2493 feet, cross said fence at a 10" hackberry tree (fence deviates and meanders from this tree to the east) continue on, at a distance of 2902 feet, cross said meandering fence again (there is 0.18 acre of land inside of this described line, but outside of said meandering fence), continue on for a total distance of 3004.87 feet to a ½" iron rod set at the west corner of the 298.51 acre tract, from which a ½" iron rod marking the north corner of the 102.32 acre tract bears N 47° 46' 24" W - 23.16 feet, and a 4" creosote post fence corner bears S 53° 14' 30" E - 145.7 feet;

THENCE N 41° 55' 29" E along the northwest line of the beforementioned 298.51 acre tract, same being along the northwest line of the beforementioned Jones Survey at a distance of 330 feet to a point at which a meandering fence line joins this described line, continue on, adjacent to said crooked, meandering fence line at a distance of 2644 feet cross said fence, continue on at a distance of 2655.85 feet, pass a ½" iron rod set for reference, continue on for a total distance of 2755.85 feet to a ½" iron rod set in or near the center of Turkey Creek, same being in the southwest line of the called 49.9983 acre tract described in Volume 1239, Page 109, of the Official Records of Brazos County, Texas;

THENCE along the northerly line of the beforementioned 298.51 acre tract, same being the southerly line of the beforementioned 49.9983 acre tract, as follows:

S 60° 55' 20" E cross said Turkey Creek for a distance of 13.12 feet to a ½" iron rod set,
N 73° 49' 54" E at a distance of 26.8 feet, pass the southern edge of a 10" creosote post fence corner, continue on, adjacent to a fence for a total distance of 477.08 feet to a ¾" iron rod found (in fence - no fence corner) marking the north corner of the 298.51 acre tract, same being the southwest corner of the called 4.016 acre tract (out of said 49.9983 acre tract) described in Volume 1696, Page 160, of the Official Records of Brazos County, Texas, and same being the northwest corner of the 40.00 acre tract described in Volume 1612, Page 214, of the Official Records of Brazos County, Texas;

EXHIBIT "A"

Dexter T. Gabbard
First City, Texas, Trustee
C. Neal Johnson & Frecia Johnson
298.51 Acre Tract
J. H. Jones Survey, A-26
Brazos County, Texas
Continued - Page 3

THENCE along the northeasterly line of the beforementioned 298.51 acre tract, same being the southwest line of the beforementioned 40.00 acre tract, as follows:

S 48° 34' 43" E for a distance of 1369.37 feet to a ½" iron rod found,
S 68° 31' 17" E for a distance of 1411.82 feet to a ½" iron rod found;

THENCE N 41° 48' 47" E along the most easterly northwest line of the beforementioned 298.51 acre tract and the southeast line of the beforementioned 40.00 acre tract, for a distance of 189.02 feet to a ¾" iron rod found near a 4" cedar post fence corner marking the most easterly north corner of the 298.51 acre tract, same being the occupied west corner of the beforementioned T.A.M.U. - 838 acre tract, from which the east corner of the 40.00 acre tract at the southern end of Gabbard Road bears N 41° 48' 47" E - 540.98 feet;

THENCE S 48° 10' 39" E along the most easterly northeast line of the beforementioned 298.51 acre tract, same being the southwest line of the 838 acre tract, adjacent to a fence, for a distance of 857.56 feet to the PLACE OF BEGINNING, containing 298.51 acres of land, more or less.

Bearings oriented to grid north based on Texas State Plane Coord. System (NAD-27 DATUM), central zone, convergence = 02° 01' 56". Distances are surface not grid. To convert from surface to grid apply 0.9998907 scale factor.



kes99-02b:gabbard.298

Surveyed September 1999

By

S. M. Kling
R.P.L.S. No. 2003

EXHIBIT "A"

SCHEDULE 2

Traditions Golf and Country Club
87.20 Acre Tract
J.H. Jones Survey, A-26
Brazos County, Texas

Field notes of a 87.20 acre tract or parcel of land, lying and being situated in the J. H. Jones Survey, Abstract No. 26, College Station and Brazos County, Texas, and said 87.20 acre tract consisting of the following tracts:

Part of the called 218.04 acre (net) tract (excluding 0.2 acre in F.M. No. 2513), described in the deed from Ethyl Walton Burgess to Ethyl Walton Burgess Family Limited Partnership as recorded in Volume 2754, Page 78, of the Official Records of Brazos County, Texas;

And Part of the called 188.00 acre (net) tract described in the deed from Lou Burgess Cashion to Ethyl Walton Burgess Family Limited Partnership as recorded in Volume 3481, Page 81, of the Official Records of Brazos County, Texas;

And said 87.20 acre tract being more particularly described as follows:

BEGINNING at the ½ " iron rod found at a 6" creosote post fence corner marking the north corner of the beforementioned 188.00 acre tract, same being the west corner of the Gloria Stephen Sale - called 73.428 acre - Tract One described in the deed recorded in Volume 3357, Page 50, of the Official Records of Brazos County, Texas, same being in the southeast line of the Gabbard - 298.51 acre tract described in the deed recorded in Volume 1052, Page 172, of the Official Records of Brazos County, Texas;

THENCE through the interior of the beforementioned 188.00 acre tract, as follows:

S 00° 50' 13" E	for a distance of 1342.07 feet to a ½ " iron rod set;
S 42° 42' 09" W	for a distance of 912.35 feet to a ½ " iron rod set,
S 47° 17' 51" E	along the southwest line of the 12.00 acre tract for a distance of 376.90 feet to the center of an existing 10' wide asphalt road;

THENCE along the center of said asphalt road, as follows:

S 17° 38' 36" E	for a distance of 91.35 feet,
S 20° 18' 11" E	for a distance of 106.50 feet,
S 25° 40' 35" E	for a distance of 151.82 feet,
S 27° 53' 07" E	for a distance of 157.46 feet,
S 44° 53' 02" E	for a distance of 47.46 feet,
S 63° 12' 18" E	for a distance of 47.47 feet,
S 77° 02' 29" E	for a distance of 39.77 feet;

THENCE continuing through the interior of the beforementioned 188.00 acre tract and the beforementioned 218.04 acre tract, as follows:

S 27° 19' 33" W	for a distance of 1250.36 feet to a ½ " iron rod set;
N 62° 40' 27" W	for a distance of 853.47 feet to a ½ " iron rod set,
N 47° 25' 55" W	for a distance of 767.47 feet to a ½ " iron rod set in the southerly northwest line of the 218.04 acre tract,
N 42° 34' 05" E	along the northwest line of said 218.04 acre tract, for a distance of 885.69 feet to a ½ " iron rod set at the interior ell corner of the 188.00 acre tract, same being the east corner of the 25.10 acre tract described in the deed Recorded in Volume 248, Page 603 of the Deed Records of Brazos, County, Texas, from which a 3/8" iron rod found bears S 65° 12' 28" W - 1.05 feet, and a 24" post oak tree fence corner bears N 35° 29' 20" W - 5.3 feet;

SCHEDULE 2

Traditions Golf and Country Club
87.20 Acre Tract
J.H. Jones Survey, A-26
Brazos County, Texas
Continued - Page 2

THENCE N 39° 14' 37" W along the common line between the beforementioned 188.00 acre tract and the beforementioned 25.10 acre tract adjacent to a fence, for a distance of 609.38 feet to a 3/4" iron pipe found marking the angle point corner of the 25.10 acre tract, same being the south corner of the beforementioned Gabbard - 298.51 acre tract, from which a 6" creosote post fence corner bears S 59° 04' 53" E - 7.4 feet;

THENCE along the common line between the beforementioned 188.00 acre tract and the beforementioned 298.51 acre tract, along the average fence line marking same, as follows:

N 43° 16' 46" E	for a distance 700.08 feet to a 24" post oak tree,
N 40° 31' 40" E	for a distance 694.61 feet to a 12" red oak tree,
N 43° 36' 19" E	for a distance of 412.07 feet to an 18" post oak tree,
N 40° 17' 48" E	for a distance of 234.54 feet to a 6" fence post,
N 41° 59' 15" E	for a distance of 478.47 feet to the PLACE OF BEGINNING , containing 87.20 acres of land, more or less.

Bearings oriented to grid north based on Texas State Plane Coord. System (NAD-27 DATUM), central zone, convergence = 02° 01' 56". Distances are surface not grid. To convert from surface to grid apply 0.9998907 scale factor.



Surveyed December 2000

By:

[Signature]

S.M. Kling
R.P.L.S. No. 2003

Revised 01/02/01
modified tract perimeter

kes00-02b:Traditbc82.7.wpd

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RETURN TO:
BRS TITLE CO.
Box 520559A

GENERAL WARRANTY DEED

Date: November 16, 2000

Grantor: TURKEY CREEK INVESTMENTS, INC.

Grantee: BRYAN COMMERCE AND DEVELOPMENT,
INCORPORATED

Grantee's Mailing Address: Post Office Box 1000
Bryan, Texas 77803

Consideration: TEN AND NO/100 DOLLARS (\$10.00) and other good and
valuable consideration

Property (including any improvements):TRACT 1:

Field notes of a 101.96 acre tract or parcel of land, lying and being situated in the J. H. Jones Survey, Abstract No. 26, Brazos County, Texas, and being all of the called 102.32 acre tract described in the deed from Turkey Creek Limited Partnership to Turkey Creek Investments, Inc., as recorded in Volume 1090, Page 462, of the Official Records of Brazos County, Texas, and said 101.96 acre tract being more particularly described as follows:

BEGINNING at the 5/8" iron rod found marking the south corner of the beforementioned 102.32 acre tract, same being an east corner of the Jones - 127.91 acre tract, Volume 1242, Page 430, of the Official Records of Brazos County, Texas, and being in the northwest line of the Treybig - 12.50 acre tract, Volume 331, Page 510, of the Deed Records of Brazos County, Texas, from which a 1/2" iron rod found at a 6" creosote post bears S 41° 01' 40" W - 148.50 feet, and a 1/2" iron rod found in concrete marking the interior ell corner of the 127.91 acre tract bears S 41° 08' 05" W - 974.95 feet;

THENCE N 47° 54' 55" W along the southwest line of the beforementioned 102.32 acre tract same being the northeast line of the beforementioned 127.91 acre tract (no fence) for a distance of 3027.90 feet to a 1/2" iron rod set about 3 feet southeast of existing fence line at the west corner of the 102.32 acre tract, same being the north corner of the 127.91 acre tract in the southeast line of the Lard - 34.21 acre tract, Volume 423, Page 63, of the Deed Records of Brazos County, Texas, from which a pipeline marker (PVC Pipe) bears S 07° 52' 51" E - 50.9 feet, and a 4" creosote post in fence bears S 43° 58' 23" W - 45.7 feet;

THENCE N 41° 08' 05" E along the northwest line of the beforementioned 102.32 acre tract, same being the southeast line of the beforementioned 34.21 acre tract and the Cardenas - 40 acre tract, Volume 1239, Page 498, of the Official Records of Brazos County, Texas, adjacent to a fence, at a distance of 555.45 feet, a 3/8" iron rod found bears Northwest - 2.57 feet, (said 3/8" iron rod found marking the occupied common corner of the called 52.267 acre tract, Volume 387, Page 439, and the called 16.15 acre tract, Volume 392, Page 111), continue on at a distance of 996 feet, cross said fence (fence deviates and meanders to the northwest at this point), continue on at a distance of 1422 feet, again crossing said meandering fence (there is 0.57 acre of land which lies outside of this described line, but within the said meandering fence), continue on for a total distance of 1470.83 feet to a 1/2" iron rod set at the reestablished north corner of the 102.32 acre tract;

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THENCE S 47° 46' 24" E along the northeast line of the beforementioned 102.32 acre tract, at a distance of 23.16 feet, pass a 1/2" iron rod set at the west corner of the Gabbard - 298.51 acre tract, Volume 1052, Page 172, of the Official Records of Brazos County, Texas, continue on at a distance of 103 feet, cross a fence line, continue on, adjacent to and southwest of a meandering fence line, at a distance of 512 feet, pass a 10" hackberry tree - where said fence line again joins this described line (there is 0.18 acre of land which lies outside of this described line, but within the said meandering fence), continue on, adjacent to said fence for a total distance of 3028.03 feet to a 5/8" iron rod found marking the occupied east corner of the 102.32 acre tract, same being the occupied north corner of the B. J. Kling - 25.10 acre tract described in the deed recorded in Volume 248, Page 603, of the Deed Records of Brazos County, Texas, from which a 1/2" iron rod found bears N 48° 46' 04" E - 10.41 feet, said 5/8" iron rod found also marking an angle point corner in the southwest line of the 298.51 acre tract;

THENCE S 41° 08' 05" W along the southeast line of the beforementioned 102.32 acre tract, (no fence) same being the northwest line of the beforementioned 25.10 acre tract, the called 12.50 acre tract, Volume 3464, Page 168, and the beforementioned 12.50 acre tract (331/510) for a distance of 1463.32 feet to the PLACE OF BEGINNING, containing 101.96 acres of land, more or less.

TRACT 2: EASEMENT

Together with all right, title and interest in and to the following easement:

Being all that certain tract, parcel or strip of land lying and being situated in the J. H. Jones Survey, Abstract No. 26, Brazos County, Texas, and being a part of the 127.91 acre tract conveyed to Gainer B. Jones in the deed described in Volume 227, Page 193 of the Deed Records of Brazos County, Texas, and being more particularly described as follows:

BEGINNING at an east corner of the beforementioned 127.91 acre tract, said corner being located S 45° 35' E 3027.9 feet from the north corner of the said 127.91 acre tract;

THENCE S 43° 28' W along a southeast line of the beforementioned 127.91 acre tract for a distance of 608.37 feet and corner;

THENCE N 45° 35' W 16.01 feet and corner;

THENCE N 43° 28' E 145.24 feet to the beginning of a curve concave to the northwest having a radius of 2976.41 feet;

THENCE northeasterly along said curve for an arc length of 304.90 feet, the chord bears N 40° 32' 23" E 303.96 feet;

THENCE N 37° 36' 47" E 160.93 feet and corner in the northeast line of the beforementioned 127.91 acre tract;

THENCE S 45° 35' E along the northeast line of the beforementioned 127.91 acre tract for a distance of 107.95 feet to the PLACE OF BEGINNING, containing 1.18 acres of land, more or less.

TRACT 3: EASEMENT

Together with all right, title and interest in and to the following easement:

Being all that certain parcel or strip of land lying and being situated in the J. H. Jones Survey, Abstract No. 26, Brazos County, Texas, and being a part of the 25.0 Acre tract conveyed to Robert C. Holmes in the deed described in Volume 318, Page 545 of the Deed Records of Brazos County, Texas, said strip of land being 46 feet on each side of the following described center line;

BEGINNING at an iron rod set in the southeast line of the 76.74 acre tract conveyed to Mary Jones James in the deed described in Volume 227, Page 193 of the Deed Records of Brazos County, Texas, said iron rod being located N 45° 53' E 243.10 feet from the south corner of the beforementioned 25.0 acre tract;

THENCE N 33° 51' W for a distance of 737.75 feet to the beginning of a curve concave to the southwest, having a radius of 973.22 feet;

THENCE northwesterly along said curve for an arc length of 199.30 feet, the chord bears N 39° 43' W 198.95 feet;

THENCE N 45° 35' W for a distance of 429.63 feet to an iron rod set for the end of this easement, said iron rod being in the northwest line of the beforementioned 25.0 acre tract and located N 43° 28' E 413.44 feet from the west corner of the said 25.0 acre tract.

TRACT 4: EASEMENT

Together with all right, title and interest in and to the following easement:

Being all that certain parcel of land lying and being situated in the J. H. Jones Survey, Abstract No. 26, Brazos County, Texas, and being a part of the 25.0 acre tract conveyed to Robert C. Holmes in the deed described in Volume 318, Page 545 of the Deed Records of Brazos County, Texas, and being more particularly described as follows:

BEGINNING at a point in the northwest line of the beforementioned 25.0 acre tract, said point being located N 43° 28' E 459.45 feet from the west corner of the said 25.0 acre tract;

THENCE S 45° 35' E 16.00 feet and corner;

THENCE N 43° 28' E 54.76 feet to the beginning of a curve concave to the northwest having a radius of 3068.41 feet;

THENCE northeasterly along said curve for an arc length of 313.41 feet and corner at the north corner of the beforementioned 25.0 acre tract, the chord bears N 40° 32' 23" E 313.35 feet;

THENCE S 43° 28' W along the northwest line of the beforementioned 25.0 acre tract for a distance of 367.43 feet to the PLACE OF BEGINNING.

TRACT 5: EASEMENT

Together with all right, title and interest in and to the following easement:

Being all that certain parcel or strip of land 50 feet wide and lying 25 feet on each side of the following described center line;

BEGINNING at a point in the southeast line of one certain 100.95 acre tract set aside to Mary Jones James in a partition deed dated November 12, 1960, and recorded in Volume 208, Page 121, Deed Records, Brazos County, Texas, located N 45° 07' E 478.0 feet from the south corner of said 100.95 acre tract;

THENCE N 44° 32' W, at 50 feet pass the northwest line of Farm to Market Road 60, continue parallel to the De Doncker line for a total distance of 1500 feet and corner;

THENCE S 45° 28' W for a distance of 200 feet and corner;

THENCE N 44° 32' W for a distance of 600 feet and corner;

THENCE N 43° 04' W for a distance of 1345.5 feet to an angle point;

THENCE N 23° 57' W for a distance of 352.1 feet to an angle point;

THENCE N 36° 00' W for a distance of 169.6 feet to an angle point;

THENCE N 86° 17' W for a distance of 197.7 feet to an angle point;

THENCE N 42° 59' W for a distance of 308.5 feet to an angle point;

THENCE N 33° 51' W for a distance of 565.9 feet and corner in the northwest line of said Mary Jones James 100.95 acre tract same being a common line with a 76.74 acre tract now or formerly owned by Mary Jones James for the end of this strip of land, this point is located N 45° 33' E 443.10 feet from the west corner of the beforementioned 100.95 acre tract.

TRACT 6: EASEMENT

Together with all right, title and interest in and to the following easement:

Upon and across a portion of a 13.27 acre tract described in a Deed from Warren Harmon to Robert C. Holmes, dated August 6, 1973, recorded in Volume 318, Page 545, Deed Records of Brazos County, Texas, in addition to Easement III described in easement recorded in Volume 431, Page 746, Deed Records of Brazos County, Texas, being described as two strips or parcels of land along either side of the said Easement III described above, and being more particularly described as follows, to-wit:

BEING two easements 21 feet each in width beginning 25 feet from either side of the center line of the easement described as Easement III above, where said center line runs through the said 13.27 acre tract as it is described above. Reference to said center line's description as it is set out in Easement III above is hereby made for all purposes.

Reservations from Conveyance:

Grantor for itself and Grantor's successors and assigns forever, hereby reserves all oil, gas, and other related minerals in and under and that may be produced from the Property. If the mineral estate is subject to existing production or an existing lease, this reservation includes the production, the lease, and all benefits from it other than use of the surface of the Property and all water. Grantor waives and conveys to Grantee the right of ingress and egress to and from the surface of the Property relating to the portion of the mineral estate owned by Grantor. Nothing herein, however, restricts or prohibits the pooling or utilization of the portion of the mineral estate owned by Grantor with land other than the Property; or the exploration or production of the oil, gas, and other related minerals by means of wells that are drilled or mines that open on land other than the Property but enter or bottom under the Property, provided that these operations in no manner interfere with the surface, water or subsurface support of any improvements construction or to be constructed on the Property.

Exceptions to Conveyance and Warranty:

- 1) Fences along northeast and northwest property lines lying outside the property, as shown and noted on survey by Kling Engineering & Surveying, S. M. Kling, R.P.L.S. No. 2003, dated September, 1999.
- 2) Pipelines through center of property, as shown and noted on survey by Kling Engineering & Surveying, S. M. Kling, R.P.L.S. No. 2003, dated September, 1999.
- 3) Easement executed by Gainer B. Jones to the City of Bryan, Texas, dated April 23, 1937, recorded in Volume 98, Page 601, Deed Records of Brazos County, Texas. (TRACT FIVE AND SIX)
- 4) Right Of Way Easement executed by Myrte B. Jones, et al to The City of Bryan, Texas, dated September 15, 1960, recorded in Volume 208, Page 475, Deed Records of Brazos County, Texas. (TRACT FIVE AND SIX)
- 5) The terms and provisions of the Easement granted to Norman F. Godwin and Robert C. Holmes by Gainer B. Jones and Gainer B. Jones, Jr., dated August 21, 1979, recorded in Volume 431, Page 742, Deed Records of Brazos County, Texas. Assignment Of Easement from Norman

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F. Godwin to Turkey Creek Investments, Inc., dated November 23, 1988, recorded in Volume 1090, Page 458, Official Records of Brazos County, Texas. (TRACT TWO)

6) The terms and provisions of the Easement granted to Norman F. Godwin, Gainer B. Jones and Gainer B. Jones, Jr., by Robert C. Holmes, dated August 17, 1979, recorded in Volume 431, Page 746, Deed Records of Brazos County, Texas. Assignment Of Easement from Norman F. Godwin to Turkey Creek Investments, Inc., dated November 23, 1988, recorded in Volume 1090, Page 452, Official Records of Brazos County, Texas. (TRACTS THREE, FOUR, FIVE AND SIX)

7) Right Of Way Easement executed by W.T. McDonald, Jr. and wife, Caroline McDonald to Brushy Water Supply Corporation, dated October 25, 1985, recorded in Volume 851, Page 316, Official Records of Brazos County, Texas. (TRACT FIVE AND SIX)

8) Pipeline Easement executed by Robert C. Holmes to Clajon Gas Company, L.P., dated April 13, 1992, recorded in Volume 1501, Page 1, Official Records of Brazos County, Texas. (TRACT THREE)

9) Right-Of-Way executed by W.T. McDonald, Jr. and wife, Caroline McDonald to GTE Southwest Incorporated, dated August 27, 1992, recorded in Volume 1635, Page 181, Official Records of Brazos County, Texas. (TRACT FIVE AND SIX)

10) Right-Of-Way executed by W.T. McDonald, Jr. and wife, Caroline McDonald to Brushy Water Supply Corporation, dated October 16, 1992, recorded in Volume 1665, Page 302, Official Records of Brazos County, Texas. (TRACT FIVE AND SIX)

11) Rights of adjoining property owners and the public in and to the access easements described as Tracts Two, Three, Four, Five and Six.

12) Easement executed by Turkey Creek Investments, Inc. to Ferguson Crossing Pipeline Company, dated April 6, 1992, recorded in Volume 1855, Page 17, Official Records of Brazos County, Texas. (TRACT ONE)

13) Mineral reservation contained in Deed executed by Mary Jones James and husband, Edward A. James to Warren C. Harmon, dated June 21, 1968, recorded in Volume 271, Page 70, Deed Records of Brazos County, Texas. (TRACT FIVE AND SIX)

14) Non-participating royalty reservation contained in Deed executed by Lillie May Williams Bayless to Norman F. Godwin, dated August 24, 1979, recorded in Volume 431, Page 752, Deed Records of Brazos County, Texas. (TRACT ONE)

15) Correction Royalty Deed executed by Lillie Mae Williams Bayless to Catherine Bayless, dated September 29, 1982, recorded in Volume 540, Page 292, Deed Records of Brazos County, Texas. (TRACT ONE)

16) Correction Royalty Deed executed by Lillie Mae Williams Bayless to Patricia Bayless, dated September 29, 1982, recorded in Volume 540, Page 295, Deed Records of Brazos County, Texas. (TRACT ONE)

17) Stipulation of Interest executed by Turkey Creek Investment, Inc., Norman Floyd Godwin, II and Linda Godwin, dated April 27, 1992, recorded in Volume 1527, Page 172, Official Records of Brazos County, Texas. (TRACT ONE)

18) Oil And Gas Lease executed by C.Egbert Jones and wife, Mrs. Myrtle B. Jones to L.L. Garrison, dated December 4, 1942, recorded in Volume 5, Page 503, Deed Records of Brazos County, Texas (TRACTS FIVE AND SIX)

19) Oil, Gas and Mineral Lease executed by Lillie Mae Williams Bayless to Skelly Oil Company, dated June 20, 1972, recorded in Volume 21, Page 529, Oil and Gas Lease Records of Brazos County, Texas, Partial Release of Oil, Gas and Mineral Lease, Executed by Getty Oil Company, recorded in Volume 128, Page 443, Deed Records of Brazos County, Texas. (TRACT ONE)

20) Oil, Gas And Mineral Lease executed by Gainer B. Jones and wife, Vivian K. Jones and Gainer B. Jones, Jr. to Skelly Oil Company, dated June 20, 1972, recorded in Volume 21, Page 531, Oil And Gas Lease Records of Brazos County, Texas. Tenant's Consent Agreement executed by J.H. Stockton, dated August 23, 1972, recorded in Volume 21, Page 587, Oil And Gas Lease Records of Brazos County, Texas.(TRACT TWO)

21) Oil, Gas And Mineral Lease executed by W.T. McDonald, Jr. and wife, Caroline S. McDonald to R.L. Reese, dated September 9, 1977, recorded in Volume 29, Page 265, Oil And Gas Lease Records of Brazos County, Texas. (TRACTS FIVE AND SIX)

22) Oil, Gas And Mineral Lease executed by Robert C. Holmes and wife, Dorothy W. Holmes to Chaparral Minerals, Inc., dated May 30, 1978, recorded in Volume 33, Page 121, Oil And Gas Lease Records of Brazos County, Texas. Releases Of Oil And Gas Lease recorded in Volume 1391, Pages 207, 209, 211, 213; Volume 1410, Pages 273, 275; and Volume 1412, Page 266, Official Records of Brazos County, Texas. Assignment Of Oil And Gas Leases recorded in

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Volume 1432, Pages 321 and 324; Volume 1445, Page 235, Official Records of Brazos County, Texas. (TRACTS THREE AND FOUR)

23) Memorandum Of Oil, Gas And Hydrocarbon Lease executed by W.T. McDonald and wife, Caroline S. McDonald to MCZ, Inc., dated January 14, 1983, recorded in Volume 559, Page 41, Deed Records of Brazos County, Texas. (TRACT FIVE)

24) Oil, Gas And Mineral Lease executed by Robert C. Holmes to Texakoma Oil & Gas Corporation, dated April 18, 1991, recorded in Volume 1258, Page 62, Official Records of Brazos County, Texas. Amendment To Oil, Gas And Mineral Lease recorded in Volume 1432, Page 332, Official Records of Brazos County, Texas. (TRACTS THREE AND FOUR)

25) Oil, Gas and Mineral Lease executed by Norman F. Godwin to James Worsham, dated March 15, 1988, recorded in Volume 1038, Page 696, Official Records of Brazos County, Texas. (TRACT ONE)

26) Oil, Gas And Mineral Lease executed by W.T. McDonald and wife, Caroline S. McDonald to Union Pacific Resources Co., dated March 27, 1994, recorded in Volume 2115, Page 6, Official Records of Brazos County, Texas. (TRACT FIVE)

27) Oil, Gas And Mineral Lease executed by John Henderson to Texakoma Oil & Gas Corporation, dated June 6, 1991, recorded in Volume 1317, Page 185, Official Records of Brazos County, Texas. (TRACT FIVE AND SIX)

28) Oil, Gas And Mineral Lease executed by Mary Gainer Becker to Texakoma Oil & Gas Corporation, dated June 6, 1991, recorded in Volume 1347, Page 194, Official Records of Brazos County, Texas. (TRACT FIVE AND SIX)

29) Oil, Gas and Mineral Lease executed by Turkey Creek Investments, Inc. to Union Pacific Resources Co., dated March 15, 1992, recorded in Volume 1472, Page 133, Official Records of Brazos County, Texas. (TRACT ONE)

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's successors, and assigns forever. Grantor binds Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the Property to Grantee and Grantee's successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

Ad valorem taxes for the current year have been prorated as of the date of delivery of this deed, and the Grantee by its acceptance hereof covenants and agrees to pay all ad valorem taxes upon the property from and including taxes for the year 2001.

TURKEY CREEK INVESTMENTS, INC.

By Linda W. Godwin
LINDA W. GODWIN, President

Attest:

Michael R. Hoelscher
MICHAEL R. HOELSCHER, Secretary

0730501

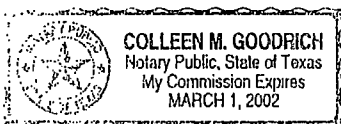
STATE OF TEXAS

COUNTY OF BRAZOS

This instrument was acknowledged before me on the 16 day of November, 2000, by LINDA W. GODWIN, President of Turkey Creek Investments, Inc., in the capacity therein stated as the act and deed of said corporation.

Colleen M. Goodrich
 NOTARY PUBLIC, State of Texas

Notary's name printed:

Colleen M. GoodrichMy commission expires: 3-1-02

HENDERSON MARY ANN HEND, COUNTY CLERK
 BRAZOS COUNTY,

STATE OF TEXAS COUNTY OF
 I hereby certify that this instrument was
 filed on the date and the stated person by me
 and was duly recorded in the volume and page
 of the named records of:
 BRAZOS COUNTY,
 as stated herein by me.
 Nov 16, 2000

Filed for Record in:
 BRAZOS COUNTY,
 On: Nov 16, 2000 at 04:22PM
 As a
 Recordings
 Document Number: 0730501
 Amount 18.00
 Receipt Number - 162299
 By,
 Jaime Kelley

RECORDING PAID FOR BY:
 AFTER RECORDING RETURN TO:

PREPARED IN THE LAW OFFICE OF:
 HOELSCHER, LIPSEY & ELMORE P.C.
 1021 University Drive East
 College Station, Texas 77840
 MRH/brl/turkey/gwd

GENERAL WARRANTY DEED

TURKEY CREEK INVESTMENTS, INC.
 to BRYAN COMMERCE AND DEVELOPMENT, INCORPORATED

General Warranty Deed